



Local Government (Miscellaneous Provisions) Act 1982
Application for Grant, Renewal or Transfer
of a Sex Establishment Licence

PLEASE READ THE FOLLOWING NOTES FIRST

1. All questions must be answered unless stated otherwise.
2. It is an offence to make a false statement in or in connection with this application.
3. The completed application should be sent to Licensing at the address shown above.

THE APPLICATION

1. This application is for the (Please tick as appropriate):

Grant: **Renewal:** **Variation:** **Transfer:**

2. of a (Please tick as appropriate):

(a) **Sex Shop Licence:**

(b) **Sex Cinema Licence:**

(c) **Sexual Entertainment Venue (SEV) Licence:**

3. In respect of (Please tick as appropriate):

(a) **A Premises:** (c) **A Vessel:**

(b) **A Vehicle:** (d) **A Stall:**

4. Address of Premises:

What is the full postal address of the premises for which a licence is sought or where is it proposed to use a vehicle, vessel or stall?

Postal address:	
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Post Town:		Post Code:	
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5. *[Only complete if the application is for a 'variation' of an existing licence]*

Please describe briefly the nature of the proposed variation:

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Part A - THE APPLICANT

6. Type of Applicant

Is the applicant:

please tick as appropriate

- (a) an individual? [please answer Question 7]
- (b) a company or other corporate body? [please answer Questions 8 & 9]
- (c) a partnership or other unincorporated body? [please answer Question 9]

7. [Answer only where the applicant is an INDIVIDUAL]

Mr Mrs Miss Ms Other title

Surname: First name(s):

Has the applicant ever been known by a different name? If so, state the applicant's former name(s):

Current postal address	

Post Town:		Post Code:	
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Daytime telephone number:	
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Email address (optional):	
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8. [Answer only where the applicant is a COMPANY or other CORPORATE BODY]

(a) What is the name of the applicant?

(b) Where is the Applicant registered?

(c) What is the registered number of the Applicant?

(d) Has the applicant previously been known by any other name and if so, what name?

(e) Has the applicant:

• Ever been convicted of a criminal offence?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
• Ever had a grant or renewal of a sex establishment licence refused or a sex establishment licence revoked?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
• Ever been served with a winding up petition?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>

If the answer to any of the questions in 7(e) above is yes, please provide full details:

(f) What are the names of the applicant's Directors and Company Secretary?

<u>Full Names</u>	<u>Position Held</u>

(g) Are there persons responsible for the management of the applicant other than the Directors and the Company Secretary? If so, state their names:

<u>Full Names</u>	<u>Position Held</u>

(h) State the names of all persons with a shareholding greater than 10% in the Applicant.

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(i) Is the Applicant a wholly owned subsidiary of another company or corporate body? If so, state the name, place of registration and identity of its Directors and Company Secretary.

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9. [Answer only where the applicant is a partnership or other unincorporated body]

(a) What is the name of the Applicant?

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(b) What are the names of the Applicants partners?

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(c) Are there persons responsible for the management of the Applicant other than the partners? If so, state their names.

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(d) Has the Applicant ever had a grant or renewal of a sex establishment licence refused or a sex establishment licence revoked? Yes: No:

If the answer is Yes, please provide full details:

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10. Trading Name

Does the Applicant have a trading name different from that given in answer to questions 7, 8 or 9 above? If so, state the trading name.

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11. Trading Address

What is the Applicant's trading address?

Full postal address:	
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Post Town:		Post Code:	
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Daytime telephone number:	
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Email address (optional):	
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12.

Will the business for which a licence is sought be carried on for the benefit of a person other than the Applicant:	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
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If the answer is Yes, State the name of such person(s). If such person(s) are a company or other corporate body state their place of registration and registered number, and the identity of all Directors, the Company Secretary, and those with a greater than 10% shareholding:

13.

Does the Applicant operate any other sex establishments whether licensed or not? If so, state the name, address and type of sex establishment (e.g. sex cinema, sex shop, sexual entertainment venue) of each:

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Part B - THE PREMISES, VEHICLE, VESSEL or STALL

14.

(a)	Is the whole of the premises to be used/is being used as a sex establishment:	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
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(b)	If not, state the use of the remainder of the premises:

(c)	If applicable, state the names of those who are responsible for managing the remainder of the premises:

15.

(a)	State the nature of the Applicant's interest in the premises, vehicle, vessel or stall, (e.g. do you own or lease the premises, vehicle, vessel or stall).	
(b)	If the Applicant leases the premises, vehicle, vessel or stall. State:	
(i)	The name & address of the landlord:	
(ii)	The name & address of any other landlord (if applicable):	
(iii)	The amount of annual rental:	
(iv)	The amount of time left before the lease expires:	
(v)	The length of notice required to terminate the tenancy:	

16.

(a)	State the current use of the premises:	
(b)	Is there a planning permission for the use of the premises, vehicle, vessel or stall as a sex establishment?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
(c)	If yes, state the date of the planning permission:	
(d)	If not, state whether and why the use as a sex establishment is lawful, e.g. because there is a certificate of lawful use, giving full details:	

17.

(a)	Are the premises, vehicle, vessel or stall licensed under any other Act, e.g. Licensing Act 2003?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
	If yes, please provide full details including the licence number and name of the Designated Premises Supervisor (DPS) (if applicable):	
(b)	Does the Applicant intend to obtain a licence under any other Act or to apply to vary any existing licence under any other Act?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
	If yes, please provide full details:	

(c)	Does the Applicant intend to operate the sex establishment in conjunction with any other licence?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
	If yes, please provide full details:		

18.

(a)	Will customers be able to access the premises, vehicle, vessel or stall:		
	(i)	Directly from the street or a public thoroughfare?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
	(ii)	From other premises?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
	If from 'other premises' please provide full details:		
(b)	Will customer access from the street be supervised at all times the premises are open to the public?		Yes: <input type="checkbox"/> No: <input type="checkbox"/>
	If the answer is No give full details of proposed door control and supervision:		
(c)	Will all door supervisors be licensed with the Security Industry Authority (SIA)?		Yes: <input type="checkbox"/> No: <input type="checkbox"/>

19.

Are the premises, vehicle, vessel or stall being used as a sex establishment as at the date of this application?		Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
If the answer is 'yes', state the name and the address of the person now operating the business:			

Part C - THE BUSINESS

20.

Under what name will the business be known?

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21.

Has the Applicant entered into any agreement (whether written or oral) in connection with the business, other than a tenancy agreement or lease, for example, a management agreement, partnership agreement or profit share arrangement?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
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If yes, provide full details together with a copy of any such agreement.

22.

Give the name and addresses of any lenders, mortgagees or others providing finance with the full terms of such agreements.

23.

Is the business required to purchase merchandise from a particular person or body? If so provide full details.

Part D - MANAGEMENT OF THE PREMISES

24.

(a) State the identity of all persons who will be responsible for the day-to-day management of the business at the premises, vehicle, vessel or stall.

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(b) For each of persons identified at 24(a) above, confirm that the form at Annex A to this application has been completed and submitted as part of this application. Yes:

25. [This question need not be answered in the case of renewals]

Give details of the times during which it is proposed to open the business.

	<u>Mon</u>	<u>Tues</u>	<u>Weds</u>	<u>Thurs</u>	<u>Fri</u>	<u>Sat</u>	<u>Sun</u>
Days of Week (3 as appropriate)							
Opening Hours:							

26.

State proposals in respect of exterior signage and advertising, including the nature, content and size of such signage, and any images to be used.

Please Note: An illustration of the exterior showing such signage and advertising is required to be submitted with this application.

27.

What means will be taken to prevent the interior of the premises being visible to passers-by?

28.

State any proposals for solicitation of business in public areas, e.g. through fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles.

29.

State what age restrictions are to be applied in respect of admissions, and how are these to be enforced. In answering, state what age verification schemes and/or forms of identity will be accepted. For 'sex shops' provide details of arrangements for preventing proxy sales.

30.

State the arrangements for CCTV and for the retention of recordings. In answering, state what public areas are to be covered by CCTV, the times the CCTV will be operational and for how long recordings will be retained.

31. *[Answer only where the application is for a sexual entertainment venue]*

(a)	Is the proposal for full nudity?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
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(b) Give full details of the nature of the entertainment, e.g. lap-dancing, pole-dancing, stage strip-tease etc.

- (c) **State what, if any, separation between performers and audience is proposed, e.g. performers on stage, 1 metre rule, no contact or full contact.**

- (d) **State whether arrangements are proposed for private booths or areas. If so, provide full details, including proposals for supervision of such areas.**

32.

- (a) **State proposals for preventing nuisance to residents and businesses in the vicinity:**

- (b) **State proposals for promoting public safety:**

- (c) **State proposals for preventing crime or disorder:**

- (d) **State proposals for protecting children from harm:**

- (e) **Set out the Applicant's system for checking the age and right to work in the UK for all employees:**

- (f) For sexual entertainment venues, set out the system for training all staff in the Code of Practice for performers, and for monitoring and enforcing compliance.
Note: the Code of Practice must be submitted with this form.

- (g) For sexual entertainment venues, set out the system for notifying customers of the Rules for Customers, and for monitoring and enforcing compliance.
Note: the Rules for Customers must be submitted with this form.

- (h) For sexual entertainment venues, set out the system for monitoring compliance with the venue's Policy for Welfare of Performers.
Note: the Policy for Welfare of Performers must be submitted with this form.

33.

- (a) Set out any further information which you wish the authority to take into account:

- (b) Are there any proposed conditions (you may attach a schedule of such conditions) or any reason relied upon to provide an exception to any of the Borough Council's Standard Conditions contained within the Sex Establishment Licensing Policy.

34.

Is there any information on this form which you do not wish to be seen by members of the public? In so, state which information and the reasons why you do not wish it to be made public.

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Part E - APPLICANT CONTACT DETAILS

Please give the contact details which you would like used for the purposes of this application:

Name:	
Organisation:	
Address:	
Telephone Number:	
Mobile Number:	
Fax Number:	
Email Address:	@

Part F - SIGNATURE & DECLARATION

- (a) The following declaration must be signed in all cases:
 - i) If the Applicant is an individual, by that individual.
 - ii) If the Applicant is a partnership, by all individuals who are partners.
 - iii) If the Applicant is a company, by a director or the company secretary.
 - iv) In any other case, by a duly authorised officer of the Applicant.

- (b) Should the information provided in relation to this application form ceases to be correct, or if there are any changes in the information provided in the application form between the date the application is submitted and the date it is determined, the Applicant must advise Licensing at the Borough Council of King's Lynn & West Norfolk immediately. Failure to do so may result in any licence issued being revoked.

- (c) The council is registered under the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the council will be processed in compliance with the eight principles of the Act. Information you have provided may be shared with other public sector organisations for the prevention of crime and detection of fraud. Further information relating to your rights under the Data Protection Act can be sent to you on request.

- (d) I/we certify to the best of my/our knowledge and belief that the information given in this application is complete and correct in every respect.

- (e) I/we agree to notify Licensing at the Borough Council of King's Lynn & West Norfolk should any information given in this application change.

(f) Checklist

Please tick ✓ as appropriate

- I have enclosed the original application and two sets of plans of the premises (see Appendix 1 to the Policy Document for plan requirements). [SEE NOTE 2]
- I enclosed payment of the fee (cheques should be made payable to 'BCKLWN')
- I enclose the form at 'Annex A' (information on individuals) for each person identified within this application (see questions 7, 8, 9, 12 & 24).
- I understand that I must now advertise my application on the premises and in a local newspaper
- I will send a copy of the advert once it has appeared in the newspaper
- I understand that if I do not comply with the above requirements my application may be rejected
- I enclose a copy of the agreement (if applicable) in connection with business (see question 21)
- I enclose a copy of the Code of Practice for Performers (see question 32(f))
- I enclose a copy of the Rules for Customers (see question 32(g))
- I enclose a copy of the Policy for Welfare of Performers (see question 32(h))
- I enclose an illustrated plan showing signage etc (if appl) (see question 26)

The Council has a duty to process and store your personal information safely and securely in line with data protection legislation, which here means the General Data Protection Regulations (Regulation (EC) 2016/679 which is in force from 25 May 2018) (GDPR) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then any successor legislation to the GDPR.

The Borough Council of King's Lynn and West Norfolk (the Council), of Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX is the data controller for the purposes of the GDPR and associated domestic law.

We will use your personal information for the purposes of the provision of the licensing services. The processing of this information is necessary for the Council to undertake a public task, i.e. the processing is necessary for the Council to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law, in this case the Local Government (Miscellaneous Provisions) Act 1982.

Your data will be used for this specific purpose and may be passed to such third parties, including Council departments and other agencies where there is lawful authority to do so, including for the purposes of preventing or detecting fraud or other crimes.

Your information will be kept strictly confidential. It will be stored separately from other information in a secure, password-protected database on the Council's computer system.

Your personal information will be kept for as long as you require a licence and for a period after the service is terminated. You can find more information about our retention policy on the [privacy notice](https://www.west-norfolk.gov.uk/privacy) page which can be found at the following link <https://www.west-norfolk.gov.uk/privacy>. We will only use your data within the terms of data protection laws, will delete your data securely and only keep it for as long as necessary. We will review dates for keeping personal data in the future and if necessary update these privacy notices.

You have a number of rights available to you, including the right to see copies of all the data held about you by the Council, to ask for it to be corrected, updated or deleted, to request the Council to restrict what it does with your data in certain circumstances, to object to what the Council may do with your data, and to data portability.

Please note that these rights are not absolute and that there are circumstances where they do not apply or the Council's obligations may override these rights. If this is the case, you will be informed of this.

You can find more information about Data Protection and the Council's Data Protection Officer, on our [Data Protection](#) page which can be found at the following link <https://www.west-norfolk.gov.uk/dataprotection>

If you are unhappy with the way your personal information is being handled you can contact the [Independent Information Commissioner](#), website: <https://ico.org.uk/>.

Signature:
Name:
Position in Organisation:
Date:
(First signature) **(Second signature (if required))**

Notes:

1. Plans are only required with an application for the 'grant' in all cases or 'variation' – when the variation involves a change of layout.