

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 – SCHEDULE 3

APPLICATION FOR THE GRANT/RENEWAL/VARIATION/TRANSFER OF A LICENCE FOR A SEX ESTABLISHMENT

Type Of Application	Grant <input type="checkbox"/>	Variation <input type="checkbox"/>	Renewal <input type="checkbox"/>	Transfer <input type="checkbox"/>
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If application is made on behalf of an individual please state: *(Please read guidance note 1)*

Full name:

Permanent address:

Age:		Date of birth:		Place of birth:	
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If application is made on behalf of a Corporate or Unincorporated body please state:

Full name of body:

Address of registered or principal office:

Registered Number:

Description of Applicant (e.g. partnership, company etc)

Telephone (if any)		E-mail address	
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Give the names and private addresses of all directors or other persons responsible for management of the establishment: *(Please read guidance note 2)*

Name:					
Address:					
Age:		Date of birth:		Place of birth:	

Name:					
Address:					
Age:		Date of birth:		Place of birth:	

Name:					
Address:					
Age:		Date of birth:		Place of birth:	

Have you any convictions recorded against you?

Or If a body corporate or unincorporated body are there any convictions recorded against that body, any of its directors or other persons responsible for its management?

If so please state:

Date of conviction:	Offence:	Sentence:

Note 1. All live convictions must be disclosed.
2. Spent convictions, as defined **Table 1** should not be included.

Table 1

Sentence	Becomes spent after
Imprisonment of between 6 months and 30 months	10 years
Imprisonment of up to 6 months	7 years
Borstal training	7 years
A fine or other sentence not otherwise covered in this table	5 years
Absolute discharge	6 months
Probation order, conditional discharge or bind over	1 year (or until order expires, whichever is longer)
Detention Centre Order	3 years
Remand home, attendance or approved school order	The period of the order and a further year after the order expires
Hospital order under the Mental Health Act	The period of the order and a further 2 years after it expires
Cashiering, discharge with ignominy or dismissal with disgrace from the Armed Forces	10 years
Dismissal from Armed Forces	7 years
Detention	5 years

Note 1. A sentence of more than 2 ½ years imprisonment can never become spent.
2. If you were under 17 years of age on the date of conviction, please halve the period shown in the right hand column.

Have you been resident in the United Kingdom throughout a period of six month immediately preceding the date of this application?	YES/NO
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If the application is made on behalf of a body corporate is that body incorporated in the United Kingdom?	YES/NO
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Full address of the premises proposed for use as a sex establishment: *(Please read guidance note 3)*

The premises will trade on the following days and between the following times

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	From	From	From	From	From	From
To	To	To	To	To	To	To

Are the premises to be used as a sex shop?	YES/NO
Are the premises to be used as a sex cinema?	YES/NO
Are the premises to be used as a sex encounter establishment?	YES/NO
Are you (or, if a corporate or unincorporated body, that body) disqualified from holding a licence for a sex establishment?	YES/NO
Have you ever been refused grant / renewal / transfer of a licence for a sex establishment?	YES/NO
Have you ever been the holder of a sex establishment licence when that licence has been revoked?	YES/NO

If yes give details.	
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Please set out any further information which you wish the authority to take into account. Include here any proposed conditions (you may attach a schedule of such conditions) or any reason relied upon to provide an exception to the authority's Policy.	
Harlow District Council has Standard conditions which are set out in the application details and provide a point of reference for applicants. Applicants who consider that some or all of the standard conditions should not be applied in their case would be well advised to explain their reasoning below and should be prepared to explain how the objectives of the legislation will be attained without such impositions.	

I / We enclose fee of

Sex Shop / Cinema – New	<input type="checkbox"/>
Sex Shop / Cinema – Renewal	<input type="checkbox"/>
Sex Shop / Cinema – Transfer	<input type="checkbox"/>
Sex Shop / Cinema – Variation	<input type="checkbox"/>

Please make cheque payable to Harlow Council.

Card Payments - If paying by phone please call Contact Harlow on **01279 446655** quoting;

Payment reference: **19558 2772**

Type of licence: **Sex Establishment - New / Renewal / Transfer / Variation**

Applicant Name

Premises Address

Premises licence number: **If applicable**

Please write your payment reference number here:

I have checked the information given in this application form and declare that to the best of my knowledge and belief it is correct.

How information about you will be used

Harlow Council understands that your privacy is important to you. The information you provide on this form will be kept private and confidential and used for the purpose of processing your application.

However, Harlow Council may use the information for the purpose of performing any of its statutory enforcement duties and any disclosures required by law.

Signatures (Please read guidance note 4)

Signature of applicant/s or applicant/s solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.

Signature/s	
Date	
Capacity	

Contact details (Please read guidance note 5)

Contact Name	
Contact postal address including Post Code	
E-mail address (optional)	

Please return to:

Licensing Team, Harlow Council, Civic Centre, The Water Gardens, Harlow, Essex, CM20 1WG

Email: licensing@harlow.gov.uk

LICENCES FOR SEX ESTABLISHMENTS

NOTES FOR APPLICANTS

- 1) Insert the name/s of individual applicant/s or partners or the trading name under which the business operates.
- 2) The full name, date of birth and home address of each individual applicant/partner/director must be supplied.
- 3) Include the postal address, including name by which the premises that is to be used as a sex establishment is to be known.

If the application relates to a vehicle, vessel or stall, the place where the vehicle, vessel or stall will be situated should be specified.

- 4) The application form must be signed. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so. Where there is more than one applicant, all applicants or their respective agents must sign the application form.
- 5) This is the address that we shall use to correspond with you about this application.

6) Premises Plan

A plan of the premises must be submitted with the application, drawn to a scale of 1:100 showing all external and internal doors and windows and the position of counters, display stands, booths, video / TV / film screens, exhibition areas, dance / performance / stage areas fixed seating and tables, bars / counters from which refreshments are available.

- 7) Copies of the application together with a plan of the premises must be submitted to: -
 - Licensing Team, Harlow Council, Civic Centre, The Water Gardens, Harlow, CM20 1WG, or by email to licensing@harlow.gov.uk
 - Essex Police Licensing Team, Braintree Police Station, Blyths Meadow, Braintree, Essex, CM7 3DJ, or by email to licensing.applications@essex.police.uk
 - Essex Fire and Rescue, Harlow and Epping Community Command (Licensing), Harlow Service Delivery Point, Fourth Avenue, Harlow, Essex, CM20 1DU, or by email to westareacommand@essex-fire.gov.uk

8) Public Notice

- a) A notice containing details of the application must be advertised on the premises to which the application relates for a continuous period of not less than **21 days from the day following the day on which it was given to the licensing authority**, in a position from which it can be conveniently read by members of the public. The notice to be displayed on the premises is enclosed and this must be completed in accordance with the guidance notes.
- b) A notice containing details of the application must be published in a newspaper circulating in the local vicinity of the **premises within 7 days of the application be given to the licensing authority**. The newspaper advertisement must be in the form supplied and must be at least a single column semi-display advertisement. A copy of the newspaper containing the advertisement should be sent to the Licensing Manager, together with a copy of the notice displayed on the premises.

- 9) Applications for the transfer of a licence must be made by the person who is to be the new licence holder. A letter of consent to the transfer from the existing licence holder must accompany this application.
- 10) **Application Fee** - The application fee for a new licence, transfer or renewal of a licence is listed on the application form. Licences are required under Part II of the Local Government (Miscellaneous Provisions) Act 1982 for the following establishments:
- Sex shops
 - Sex cinemas
 - Sexual entertainment venues

Schedule 3 of the 1982 Act allows local authorities to set fees for licences of this kind. An applicant for the grant, renewal or transfer of a sex establishment licence is required to pay a reasonable fee determined by the Council. There is no fee for an application to vary the terms, conditions or restrictions on or subject to which a licence is held.

The current scale of fees is available on the Council's website or by contacting the Licensing department. The fees for this type of licensing are reviewed every year. The fee for making any application is non-refundable, regardless of outcome of the application.

All fees are payable at the time of making and together with an application.

- 11) Any person may object to this application within 28 days, the applicant will be notified of the general terms of any objections received before the application is considered.
- 12) Licences are issued subject to the Council's standard conditions, copies of which are set out overleaf, and any special conditions the Council may consider.
- 13) Any person aggrieved by the refusal of the Council to grant, renew, vary or transfer a licence, or by the revocation of the licence or by any terms or conditions attached to a licence, may appeal to the Magistrates' courts within 21 days of notification of the Council's decision.