



Schedule 3, Section 2 of the Local Government (Miscellaneous Provisions) Act 1982

LICENSING OF SEX ESTABLISHMENTS

REGULATIONS PRESCRIBING STANDARD TERMS AND CONDITIONS OF LICENCE FOR A SEX SHOP

1 INTERPRETATION

In these conditions:-

(a) The expression "the Council" shall mean West Lancashire Borough Council and, where a function has been delegated to a Committee of the Council or any Sub-Committee of the Committee, includes, in relation to such function, the Committee or Sub-Committee to whom the exercise of the function is delegated.

(b) The conditions are imposed by the Council pursuant to its powers to make regulations under paragraph 13(1) of Schedule 3 of the above Act and apply to all premises, vehicles, vessels and stalls licensed as a "Sex Shop" as defined by the Act save and insofar as they do not conflict with any special conditions forming part of the licence nor with the provisions of the Act itself.

(c) The expression "the Chief Constable" shall mean the Chief Constable for the time being of the Police Authority.

(d) The expression "the premises" means the premises referred to above in respect of which this Licence is granted.

(e) The Interpretation Act 1978 shall apply to these conditions as it applies to an Act of Parliament.

2. TYPE OF ESTABLISHMENT

This Licence is granted in respect of a Sex Shop only and the premises shall not be used as a Sex Cinema without the issue of a further licence by the Council.

3. DUTIES OF LICENSEE

The Licensee, or any person acting or purporting to act on his behalf, shall be responsible for ensuring that the conditions of the Licence are complied with and will be held responsible for any breach thereof.

4. AUTHORISED OFFICERS

Admission shall be given at all reasonable times to the Police and to Authorised Officers of the Council

5. ADMISSION OF PERSONS

No person under the age of 18 years shall be admitted to the premises at any time.

6. EMPLOYMENT OF PERSONS

(a) No person under the age of 18 years shall be employed in the business of the premises.

(b) The Licensee shall at all times keep and maintain at the licensed premises a written record of the names, addresses and dates of birth of all persons employed at the premises whether upon full or part time basis and shall upon request by an Authorised Officer of the Council, or Police, make such records available for inspection to him / her.

7. DISPLAYS AND ADVERTISEMENTS

(a) The Interior of the premises shall not be visible to passers by

(b) No display or advertisement shall be permitted on the exterior of the premises other than the following:-

(i) the name and / or address of the premises;

(ii) the times of opening;

(iii) on each entrance to the premises, notices containing the following wording as prescribed by Section 1((6) of the Indecent Displays (Control) Act 1981, i.e.

WARNING

PERSONS PASSING BEYOND THIS NOTICE WILL FIND MATERIAL ON DISPLAY WHICH THEY MAY CONSIDER INDECENT. NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE.

(iv) No pictures or other matter shall appear on the Notice

(c) in the case of (i), (ii), and (iii) above, the lettering shall not exceed 18” (450mm) in height for each letter.

8. DISPLAY AND SALE OF OFFENSIVE MATERIAL / PACKAGING AND LABELLING OF VIDEOS

(a) No poster, advertisement, photograph or publication shall be displayed, sold or supplied at the premises which contravenes the Obscene Publications Acts 1959 and 1964.

(b) All pre-recorded video tape cassettes sold or offered for sale or hire at the premises must:-

(i) comply with the Video Recordings Act 1984, and any regulations made thereunder;

(ii) not display any pictorial material which did not form part of the video tape itself, unless the front of the video cover contains a sticker, of the size agreed with the Licensing Authority, which states the following disclaimer:-

“THE COVER OF THIS VIDEO DOES NOT NECESSARILY DEPICT THE FILM WITHIN”.

9. ALTERATIONS

No alterations of any kind shall be made to the interior or the exterior of the premises including any change in the permitted signs displayed thereat or in the manner in which the windows and doors are obstructed unless the licensee shall first obtain the written consent of the Council.

10. ADDITION, WAIVER, OR MODIFICATION OF CONDITIONS

The Council may at any time waive or modify these conditions and may make additional conditions in any special case.

11. DISPLAY OF LICENCE AND CONDITIONS

This Licence and the conditions contained herein shall be displayed on the premises in such a position as to be readily visible for inspection.

VARIATION AND MODIFICATIONS

The before mentioned conditions have been varied or modified as follows:-
(Any additional requirements of the Licensing & Appeals Committee)