

Application for the Grant of a Sex Establishment Licence

Licensing Team, Royal Borough of Kensington and Chelsea - please visit our website www.rbkc.gov.uk for our current postal address or contact us on Telephone: 020 7341 5152 email: licensing@rbkc.gov.uk



THE ROYAL BOROUGH OF
**KENSINGTON
AND CHELSEA**

Please ensure that your answers are typed in black. Some text boxes may have a limit on the number of characters. Where necessary please use additional sheets and upload them with your form.

ALL FIELDS MARKED IN RED ARE MANDATORY AND MUST BE COMPLETED.

Before submitting your application please save a copy to your desk top. Please ensure that you provide a valid email address.

IMPORTANT: PLEASE SEE RULES GOVERNING APPLICATIONS FOR SEX ESTABLISHMENT LICENCES

I/We hereby apply for the grant of a Sex Establishment Licence

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| 1. Give the full name of the applicant (ie. the individual body corporate or unincorporated body to whom the licence is to be issued). If the applicant is an individual any former names must also be given. If the applicant is a company please include the company registration number | |
| 2. Name and telephone number of person to contact for further information, and address to which communications should be sent. | |
| 3. Give the applicant's permanent address (if an individual) or registered or principal office (if a body corporate or an unincorporated body,). | |
| 4. Is the application in respect of a sex shop, a sex cinema or a sexual entertainment venue? | |
| 5. State whether the application is in respect of premises, a vehicle, a vessel or a stall. | |
| 6. Where the Licence is sought in respect of a vehicle, vessel or stall state where it is to be used as a sex establishment. | |

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| <p>7. Where the Licence is sought in respect of premises give the full address and telephone number of the premises in respect of which the Licence is sought.</p> | |
| <p>8. Are the whole of the premises described in response to Question 7 above to be used under the Licence?</p> | |
| <p>9. If the answer to Question 8 above is "no" please state:</p> <p>(i) which part of the premises is to be used for the purposes of the Licence?.</p> <p>(ii) what will the rest of the premises be used for?</p> <p>(iii) who is responsible for the management of the remainder of the premises?</p> | |
| <p>10. Are the premises, vehicle, vessel or stall in use as a sex establishment at the date of this application? If "yes" give the name and address of the persons or body who now operate the business and, where it is known, the date on which the premises were first used as such.</p> | |
| <p>11. Under what names are or will the premises be known?</p> | |
| <p>12. If the applicant is an individual the following information is to be supplied:-</p> <p>(i) Date of birth</p> <p>(ii) Place of birth</p> | |

13. If the applicant is a body corporate or an unincorporated body complete the table in respect of each of the Directors, the Company Secretary or other persons responsible for the management of the body. In the case of a partnership details of all the partners must be given.

| Forename | Surname | Former Name (if any) | Address | Position in Company | Date of Birth | Place of Birth |
|----------|---------|-------------------------|---------|------------------------|------------------|-------------------|
| | | | | | | |

14. Complete the table below in respect of each of the individuals whose names are given in response to questions 1 and 13 above.

| Name | Date become resident in United Kingdom | Address of permanent residence throughout six months immediately preceding this application |
|------|--|---|
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| <p>15. This question need only be answered where the applicant is a Company.</p> <p>(i) Is the applicant a wholly or partly owned subsidiary of another company?</p> <p>(ii) What type of Company is the applicant (eg. public or private limited by share or guarantee, etc.?)</p> <p>(iii) In which country is the Company incorporated?</p> <p>(iv) What is the date of incorporation of the Company?</p> <p>(v) Give a full list of names, addresses and holdings of shareholders holding 5% or more of the issued share capital and the number of remaining shareholders.</p> <p>(vi) If the applicant is a subsidiary of another company supply a copy of the memorandum and Articles of Association of the parent company and of any ultimate holding Company and on a separate sheet give the same particulars as are sought in Questions 3, 13, 14 and 15 (i-v).</p> | |
| <p>16. What is the nature of the applicant's interest in the premises? Please state whether it is:-</p> <p>(i) freehold, leasehold, tenancy or other (if other please provide details)</p> | |

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| <p>17. If the applicant's interest in the premises is a leasehold one please state:-</p> <ul style="list-style-type: none"> (i) whether a head lease or under lease (ii) the name and address of the landlord and of the superior landlord where applicable (iii) the amount of the annual rental or where there is not a certain figure describe the method of calculating the rental (iv) the length of the unexpired term (v) the length of notice required to terminate the tenancy. | |
| <p>18. Has the applicant a financial interest in the business which is the subject of this application? If "yes" to what extent?</p> | |
| <p>19. Is the whole of the business owned by the applicant?</p> | |
| <p>20. If the whole of the business is not owned by the applicant state the names and addresses of those who will share in the profits of the business. In each case state the percentage share to be taken by each individual.</p> | |
| <p>21. (a) State the total turnover of the business during the 12 months immediately prior to this application</p> <p>(b) What proportion of the turnover is derived from</p> <ul style="list-style-type: none"> (i) the sale, hire, exchange, loan, display or demonstration of sex articles as defined in para 4 of Schedule 3 of the Local Govt. (Miscellaneous Provisions) Act 1982; (ii) the use of the premises as a sex cinema (iii) the use of the premises as a sexual entertainment venue | |
| <p>22. State</p> <ul style="list-style-type: none"> (a) the anticipated turnover of the business for the next 12 months (b) what proportion of the turnover is expected to be derived from <ul style="list-style-type: none"> (i) the sale, hire, exchange, loan, display or demonstration of sex articles as | |

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| <p>defined in para 4 of Schedule 3 of the Local Govt. (Miscellaneous Provisions) Act 1982;</p> <p>(ii) the use of the premises as a sex cinema</p> <p>(iii) the use of the premises as a sexual entertainment venue</p> | |
| <p>23. Give the names and addresses of any lenders, mortgagees or others providing finance with the full terms of such loans.</p> | |
| <p>24. Is the business required to purchase merchandise from a particular company, person or body? If "yes" supply a copy of any agreement and state what is to be purchased and from whom.</p> | |
| <p>25. Is the applicant or any person whose name is given in response to Questions 13 and 15 concerned in any way financially or otherwise with any other business which controls, manages or supplies sex establishments?</p> | |
| <p>26. If the answer to Question 25 is "yes" give full details of the other business and the nature and extent of the connection.</p> | |
| <p>27. If the application is for a licence for a sex shop state whether any part of the premises is to be used for the purposes of displaying films, video recordings or other moving pictures. If "yes" state whether cubicles are to be used for viewing and if so how many.</p> | |
| <p>28. What advertisements or displays are to be exhibited? Please indicate size(s) of proposed displays or advertisements.</p> | |
| <p>29. What means are to be taken to prevent the interior of the premises being visible to passers by?</p> | |
| <p>30. Give details of the times during which it is proposed to open the premises:-</p> <p>(i) Days of the week</p> <p>(ii) Hours of the day</p> | |

31. In respect of each individual who is to be responsible for the management of the premises in the absence of the licence holder, please supply the following details:-

| Forename | Surname | Former Name (if any) | Permanent Address | Date of Birth | Place of Birth | Date upon which became resident in the United Kingdom |
|-----------------|----------------|---------------------------------|------------------------------|----------------------|-----------------------|--|
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32. In respect of each of the persons whose names are given in response to Questions 1, 13, 15 and 31, give details of their occupations during the 5 years immediately prior to this application. These must include the names and addresses of all employers and the nature and dates of employment.

| Forename | Surname | Former Name (if any) | Permanent address during period of relevant employment | Employers name and address | Description or nature of work | Period of employment from/to |
|-----------------|----------------|-----------------------------|---|-----------------------------------|--------------------------------------|-------------------------------------|
| | | | | | | |

33. In respect of each of the persons or bodies whose names are given in response to Questions 1, 13, 15 and 31, give details of any previous convictions and of any previous convictions of any of their spouses:-

| Forename | Surname | Former Name | Date of Conviction | Place of Conviction | Nature of the offence | Sentence |
|----------|---------|-------------|--------------------|---------------------|-----------------------|----------|
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| 34. Have you any reason to believe that a prosecution may be pending against any of the persons or bodies whose names are given in response to Questions 1, 13, 15 and 31. If "yes" give details. | |
| 35. Has any person named at any place in this application been associated in any way with:- (a) any sex establishment, (b) any other application for a licence for a sex establishment either in The Royal Borough of Kensington and Chelsea or elsewhere? If "yes" give full details including the address of the sex establishments. | |
| 36. Is there in force against the applicant or any of the persons whose names appear in answer to Questions 13, 15, 31 and 33, a disqualification from holding a licence for a sex establishment under the Local Government (Miscellaneous Provisions) Act 1982? | |
| 37. Is there any further information which the applicant would wish the Council to take into account when considering this application? This space may also be used to amplify any replies to other questions. | |

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT, RENEWAL OR TRANSFER OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING £20,000.

DECLARATION

I
declare that the information given above is true and complete in every respect.

Date

Signature

Print Name

Designation of Signatory

PLEASE NOTE THAT THE APPLICATION MUST BE ACCOMPANIED BY THE ITEMS SHOWN BELOW

Data Protection: This information will be used by the Royal Borough of Kensington and Chelsea for the purposes of Sex Establishment Licensing and related purposes. The application form may be examined on request by any member of the public. In addition, this information will be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors, residents, residents associations and other Council departments. To comply with financial regulations, details of licence holders are also disclosed to the Inland Revenue.

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ITEMS TO ACCOMPANY THIS APPLICATION

1. Three copies of a passport size photograph in respect of the applicant (if an individual) and each of those whose names are given in response to Question 31. Each photograph is to be signed and dated and bear the name in block capitals of the person whose likeness it bears.
2. A site plan scale 1:250.
3. Scale plans of the premises (1:50) in respect of which the licence is sought showing (inter alia) all means of ingress and egress to and from the premises, parts used in common with any other building and details of how the premises lie in relation to the street.
4. Drawings showing the front elevation as existing and as proposed.
5. Where the business is conducted by or on behalf of a body corporate or unincorporated body a certified copy of the Resolution authorising the application.
6. Where the business is carried on by or on behalf of partners the written authority for an application by those partners who are not themselves applicants.
7. If the application is being made on behalf of a partnership a certified copy of the Partnership Deed.
8. If the applicant is a company, copies of the Memoranda and Articles of Association of the company, the parent company and any ultimate holding company.
9. The required fee (if the application is for the grant of a new licence please remember to include the new application supplement).

PLEASE NOTE THAT BEFORE THE APPLICATION CAN BE CONSIDERED THE FOLLOWING ADDITIONAL DOCUMENTS WILL HAVE TO BE SUPPLIED:-

- A. A complete copy of the newspaper circulating in the Council's area in which notice of the application has been published in accordance with paragraph 10(8) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. Photostat copies of the newspaper will **not** be accepted. Copies of the forms of notice to be used in the newspaper advertisement and for display on or near premises have been prescribed by the Council and may be obtained from the Licensing Team, Royal Borough of Kensington and Chelsea - please visit our website www.rbkc.gov.uk for our current postal address or contact us on Telephone: 020 7341 5152 email: licensing@rbkc.gov.uk
- B. Evidence of the due service, not later than 7 days after the date of application, of a copy of the application, including the enclosures, upon the Metropolitan Police's Licensing Officer at Council Offices, 37 Pembroke Road, London W8 6PW as required by paragraph 10(14) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
- C. Evidence that the Notice of Application has been displayed on or near the premises as required by paragraph 10(1) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.