

NOTICE OF MEETING

Meeting: LICENSING SUB-COMMITTEE

Date and Time: THURSDAY, 14 NOVEMBER 2019, AT 10.00 AM*

Place: COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

Telephone enquiries to: Lyndhurst (023) 8028 5000
023 8028 5588 - ask for Andy Rogers
E-mail: andy.rogers@nfdc.gov.uk

PUBLIC PARTICIPATION:

*Members of the public may speak in accordance with the Council's public participation scheme:

- (a) immediately before the meeting starts, on items within the Committee's terms of reference which are not on the public agenda; and/or
 - (b) on individual items on the public agenda, when the Chairman calls that item.
- Speeches may not exceed three minutes. Anyone wishing to speak should contact the name and number shown above.

Bob Jackson
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
www.newforest.gov.uk

This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. ELECTION OF CHAIRMAN

To elect a Chairman for the meeting.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

**3. APPLICATION FOR A SEX ESTABLISHMENT LICENCE - SIMPLY PLEASURE,
FOREST GATE, SPRING LANE, RINGWOOD (Pages 1 - 38)**

To consider an application for a sex shop establishment.

To:

Councillors:

Steve Clarke
David Harrison

Councillors:

Joe Reilly
Alvin Reid (Substitute)

LICENSING SUB COMMITTEE – 14 NOVEMBER 2019

APPLICATION FOR A SEX ESTABLISHMENT LICENCE

SIMPLY PLEASURE, FOREST GATE, SPRING LANE, RINGWOOD.

1. INTRODUCTION

- 1.1 The purpose of the report is to provide Members of the Sub-Committee with information at the hearing to enable them to determine an application for a new sex establishment, a sex shop, named Simply Pleasure at Forest Gate, Spring Lane, Ringwood, BH24 3FH.

2 BACKGROUND INFORMATION

- 2.1 This Council had a discretionary power contained in section 2 of the Local Government (Miscellaneous Provisions) Act 1982 ('the Act'), to adopt Schedule 3 of that Act to control sex establishments by licence. The date of adoption of Schedule 3 of the Act by New Forest District Council ('NFDC') was 1 March 1999 and NFDC is the appropriate authority for the purposes of the legislation.
- 2.2 In accordance with Schedule 3 of the Act, the term sex establishment means a 'sexual entertainment venue, sex cinema, or a sex shop'.
- 2.3 A sex shop is defined as 'any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating—
- (a) sex articles; or
 - (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging—
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity.
- 2.4 No person is able use any premises, vehicle, vessel or stall as a sex establishment except under and in accordance with the terms of a licence granted under the Act by the appropriate authority.
- 2.5 NFDC, as the appropriate authority, may grant an application for a licence under Schedule 3 of the Act for the use of any premises vehicle, vessel or stall as a sex establishment on such terms and conditions and subject to such restrictions as may be specified.
- 2.6 Since adoption of the Act there has only been one sex shop licensed by NFDC which was situated on Rumbridge Street in Totton. This premises has closed so there are currently no licensed sex shops operating in the New Forest area.

3. THE APPLICATION

- 3.1 On 31 July 2019 Licensing Services at NFDC received an application for a new sex establishment, namely a sex shop known as Simply Pleasure at Forest Gate, Ringwood. The Applicant is Simply Pleasure Limited. The application and plans are provided in **Appendix 1**.

- 3.2 There is an established wholesale operation at the site, however the wholesale business does not require a licence under the legislation.
- 3.3 The Applicant proposes to open a retail outlet in a former wholesale showroom office within the main building. As the retail unit will be open to the public, an application for a sex establishment licence is now required.
- 3.4 The premises is situated on the Forest Gate Business Park in Ringwood. There are no schools or places of worship in the immediate vicinity. The site has a large Lidl store at the entrance to the business park, a Premier Inn, a gym and several other businesses with associated car parking. (see 6.4(d))
- 3.5 The trading hours of the premises sought are Monday to Friday, 9:00 to 17:00.
- 3.6 **Appendix 2** provides a plan of the location of the site.
- 3.7 Photographs of the current site are in **Appendix 3**.
- Photo 1 - Entrance path to shop.
Photo 2 - View from shop entrance to front of building.
Photo 3 - Lobby area with shop entrance to right side, warehouse door and CCTV camera.
Photo 4 - Proposed sales area (currently used for storage).
Photo 5 - View of the entrance to the business park from outside the premises.
Photo 6 - Side of main building and entrance to shop.
Photo 7 - Side of main building.
Photo 8 - Parking, front of building and Premier Inn.
Photo 9 - Road to the premises.
- 3.8 The Applicant has obtained planning permission in order to open the retail unit to the public and this is provided in **Appendix 4**. This permission was required before the application for the sex establishment licence could be determined. This is the reason for the time taken to bring this application before Members.
- 3.9 The entrance to the shop will be from a designated door situated to the side of the building and signage will be provided to assist customers with its location. When the door is opened, a buzzer will alert staff in the wholesale area behind the shop, that a customer has arrived and may need assistance. Customers will be unable to access the wholesale area.
- 3.10 There is a CCTV camera positioned above the door which monitors all activity including arrival of customers in the lobby area. Customer car parking will be provided to the front and side of the building.

4. THE APPLICANT

- 4.1 The Applicant, Simply Pleasure Limited and the Directors of the Company, meet the applicant requirements specified by the Act. The company is incorporated in the United Kingdom and has not been refused the grant or renewal of a licence for the premises licence, nor had a licence revoked in the last 12 months. The registered company office is in Poole.

5. CONSULTATION

- 5.1 Applicants for a sex establishment licence are required to give public notice of the application. This application has been correctly advertised on the premises by way of a notice and in addition, a public notice has also been published in a local newspaper. This meets the legal consultation requirement of the legislation.
- 5.2 NFDC has also informed local Members, the Town and Parish Councils, the Police Authority, the Fire Officer, and officers within the Council's planning and environmental health services.
- 5.3 There have been no objections to this application from any Agency or member of the public.

6. CONSIDERATION OF THE APPLICATION

- 6.1 Paragraph 12 of Schedule 3 of the Act sets out the circumstances when a licence shall not be granted and the issues that may be considered when determining an application.
- 6.2 Mandatory grounds for refusing an application.

A licence shall not be granted to an applicant who:

- a) is under the age of 18;
- b) is for the time being disqualified from holding a sex establishment licence;
- c) is not a body corporate, and is not in resident or has been resident in a European Economic Area (EEA) state for six months immediately preceding the date of the application;
- d) is a body corporate (a corporation) which is not incorporated in an EEA state;
- e) has in the period of twelve months preceding the date of application been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the reversal has been reversed on appeal.

- 6.3 Information available indicates that there are no mandatory grounds for refusing this application.

6.4 Discretionary grounds for refusal of an application

An appropriate authority may refuse an application for the grant of a licence on one or more of the following grounds:

- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- (b) that if the licence were to be granted, the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant if he made the application himself;
- (c) that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
- (d) that the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or

- (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

6.5 Otherwise, the licence should be granted subject to such, on such terms and conditions and subject to restrictions as may be specified.

7. GRANT OF A LICENCE

7.1 A sex shop licence will remain in force for one year, or for such shorter period specified in the licence as the appropriate authority may think fit. The license may be renewed after this period.

7.2 NFDC, as the appropriate authority, has made regulations prescribing standard conditions applicable to licences for sex establishments. A copy of these regulations is attached as **Appendix 5**.

7.3 Conditions 28-30 prescribe how the external appearance of the shop must look and are intended to ensure that the premises are not overtly sexual or cause offence.

7.4 The proposal for external signage for the premises is provided in **Appendix 6** and this signage will be positioned on the front and side of the building. The front window will be obscured so there will be no direct view of the internal sales floor. A clearly visible age warning will also be displayed on the side entrance door.

7.5 The premises licence must be displayed on the premises and the conditions easily accessible to staff and Officers, if required.

7.6 There is no fee set for the issue of a sex establishment licence. The Applicant will be advised of the final costs to the Council for the administration of this application, which will be a reasonable fee in accordance with the Act.

8. FINANCIAL, ENVIRONMENTAL, EQUALITY & DIVERSITY IMPLICATIONS

8.1 None

9. CRIME & DISORDER AND DATA PROTECTION IMPLICATIONS

9.1 None

10. RECOMMENDATION

10.1 That the Sub- Committee determine the application, and either:

- (a) grant the application for the period of 12 months and attach appropriate conditions; or
- (b) grant the application for a shorter period than 12 months as it thinks fit and attach appropriate conditions; or
- (c) refuse the application for one or more of the reasons set out at paragraph 6.4 above.

11. APPENDICES

Appendix 1- Application form and plans

Appendix 2- Location plan

Appendix 3- Photographs of the site

Appendix 4- Planning permission

Appendix 5- Licence conditions

Appendix 6-Proposed signage

Further information:

Christa Ferguson

Licensing Manager

Tel: 023 8028 5505


Email: licensing@nfdc.gov.uk

Background papers:

Schedule 3, Local Government

(Miscellaneous Provisions) Act 1982

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Type of application (please tick) Grant <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Variation <input type="checkbox"/> Transfer <input type="checkbox"/>	 New Forest DISTRICT COUNCIL
Local Government (Miscellaneous Provisions) Act 1982 Part II, Schedule 3	
Sex Establishment licence	

Trading name of premises	SIMPLY PLEASURE				
Postal address of premises	ABS GROUP, FOREST GATE, SPRING LANE, RINGWOOD, BH 24 3FH				
Applicant details-are you applying as					
a) An individual or individuals <input type="checkbox"/> (complete Section (A))					
b) person other than an individual (Complete section (B))					
i. as a limited company <input checked="" type="checkbox"/>					
ii. as a partnership <input type="checkbox"/>					
iii as an unincorporated association or <input type="checkbox"/>					
iv other (for example a statutory corporation) <input type="checkbox"/>					
(A) Applicant 1 details					
Mr	Mrs	Miss	Ms	Other title	
Surname			First name(s)		
Date of Birth			Place of Birth		
Home address:					
Postcode:					
Contact phone number			Email address		
Applicant 2 details (if applicable)					
Mr	Mrs	Miss	Ms	Other title	
Surname			First name(s)		
Date of Birth			Place of Birth		
Home address:					
Postcode:					
Contact phone number			Email address		

LICENSING
SERVICES

31 JUL 2019

RECEIVED

Section (B)		Other applicants	
Please provide name and registered address of applicant in full. Where appropriate please give any registered number			
Company Name	SIMPLY PLEASURE LTD.		
Address of registered office 2-8 PARKSTONE ROAD, POOLE,			
Postcode:	BH15 2PW		
Registered company number	0434 1488		
Description of applicant (e.g. partnership, company, etc.)	LIMITED COMPANY		
Contact phone number	Email address		



Please provide full names and private addresses of all directors or other persons responsible for management of the establishment

1. Name	TIMOTHY HEMMING		
Position in company	CEO/OWNER		
Address	129 LOWTHER ROAD BOURNEMOUTH, BH88AS		
Phone number and email address	[REDACTED]		
Date of Birth	08/10/1969		
2. Name	SYMON REEVES		
Position in company	DIRECTOR		
Address	15 BROAD TOWN ROAD, BROAD TOWN, SWINDON, SN47EB		
Phone number and email address			
Date of Birth	13/7/1974		
3. Name	TBC		
Position in company			
Address			
Phone number and email address			
Date of Birth			
	AS BY T HEMMING - TO BE DECIDED		

(C) Convictions

Have you any convictions recorded against you? Or if a body corporate or unincorporated body, that body or any of its directors or other persons responsible for its management? If so please give details of unspent convictions.

name	Date of conviction	Offence and sentence (including suspended sentences)
<i>Tim Hemming</i>	<i>has advised</i>	<i>No</i>

(D) Licensing History

Has the applicant or any person named in this form or the corporate or unincorporated body referred to in this application: - Please answer **YES or NO**

Been disqualified from holding a licence for a sex establishment?	<i>No</i>
Been refused the grant/renewal/transfer of a licence for a sex establishment?	<i>No</i>
Been the holder of a sex establishment licence when that licence has been revoked?	<i>No</i>
If "Yes" please provide details	<i>/</i>

Has the applicant or any person named in this form been resident in an EEA state throughout a period of six months immediately preceding the application? **YES** or NO

If No please provide details

/

(E) Premises Details

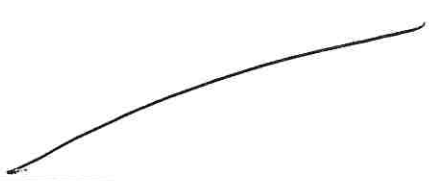
Description of trading activity

The premises will trade as (please tick as appropriate)						
A sex cinema				A sex shop <input checked="" type="checkbox"/>		
The premises will trade on the following days and between the following times:						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From 9	From 9	From 9	From 9	From 9	From	From
To 17	To 17	To 17	To 17	To 17	To	To
Non-standard timings or seasonal variations						
NONE						

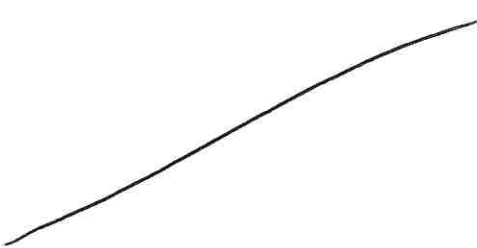
Please give full details of activities proposed for the premises

SALE OF SEX TOYS ADULT NOVELTIES R18 DVD'S
--

If this is a variation to the existing licence, please give details of the proposed variation



Set out any further information that you wish the authority to take into account. Include here any proposed conditions - you may attach a schedule of such conditions



(F) Declaration and Signatures

Please tick to confirm

Checklist-I/We have enclosed
The fee or contact details to obtain card payment.

X COUNCIL WILL INVOICE US

Plan of the premises.

I/We understand that the information given may be used in conjunction with other authorities for the prevention and detection of fraud, and will be held on computer, subject to the Data Protection Act 1998.

IT IS AN OFFENCE FOR ANY PERSON WHO, IN CONNECTION WITH THIS APPLICATION TO MAKE A FALSE STATEMENT WHICH HE/SHE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE/SHE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TEN THOUSANDS POUNDS (£10,000)

I/We confirm that the information supplied in this application is true to the best of my / our knowledge and belief

Signature(s)

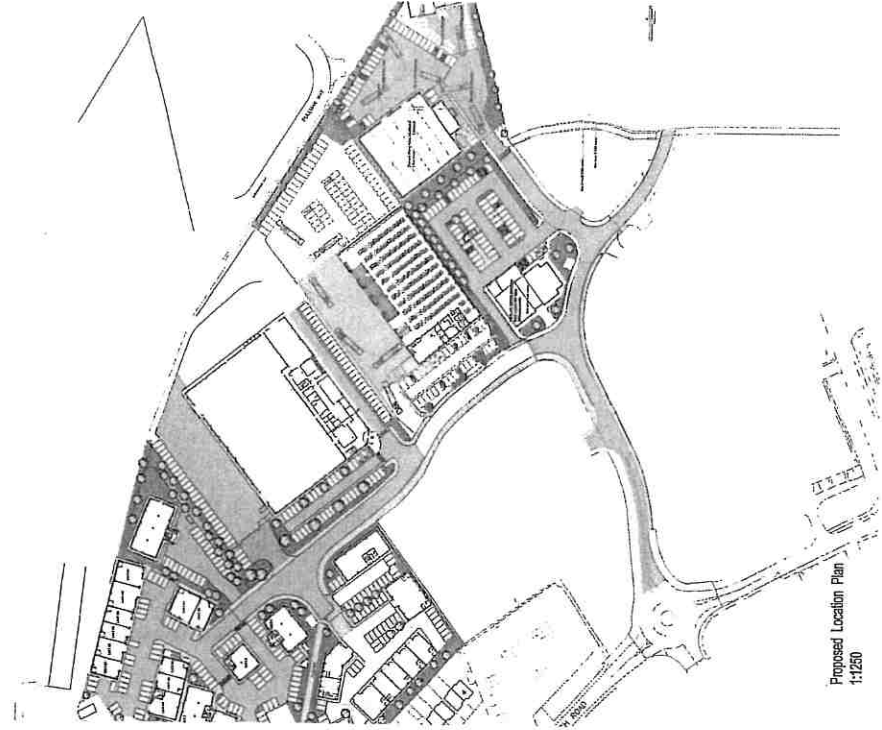
Signature of applicant 1	<i>ON BEHALF OF TIM HEMMING - ANDREW LOVETT</i>
Date	<i>26/07/2019</i>
Capacity	<i>FINANCE DIRECTOR</i>

Signature of applicant 2 (if appropriate)	<i>/</i>
Date	
Capacity	

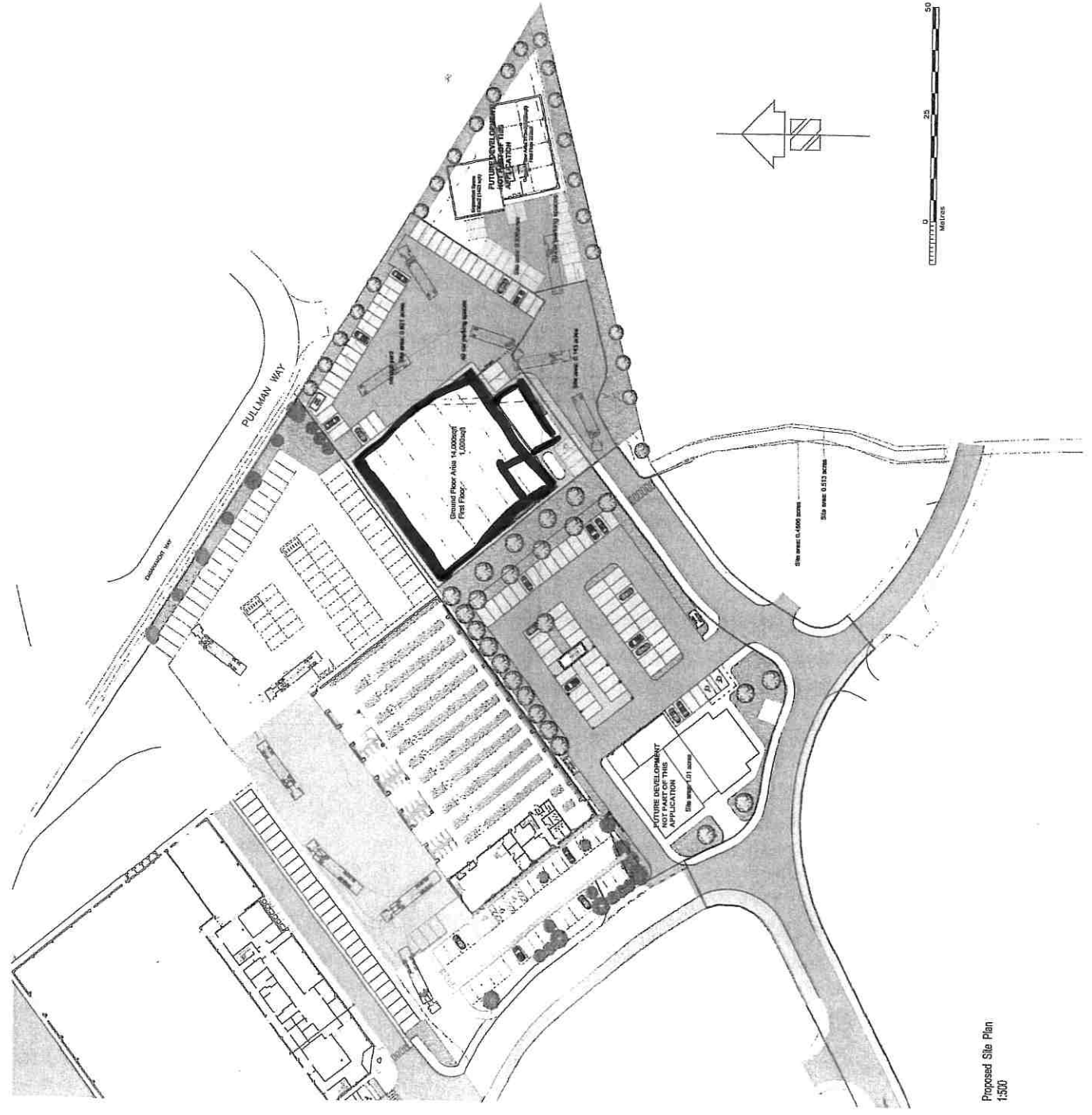
Contact details if required by Licensing Services

Name	<i>BIRGIT GOLDBERG</i>
Contact phone number	
Email address	

Our Privacy Notice is available at <http://www.newforest.gov.uk/licensing>
If you have provided any information which is special category data (relating to health, race, ethnic origin, religion, politics, genetics, biometrics, trade union membership, sex life or sexual orientation) then you must give your consent for us to process the data by ticking the box.



Proposed Location Plan
1:1250

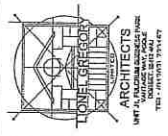


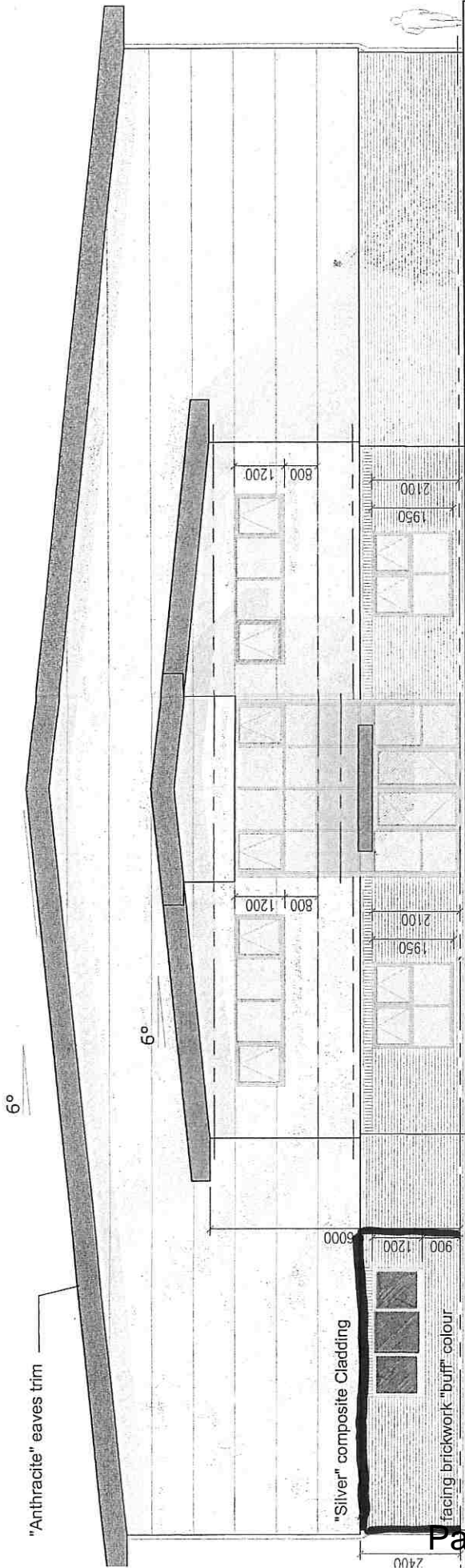
Proposed Site Plan
1:500

A. 23.05.2016 - Foot print of Unit amended; car parking / site plan rearranged.

Proposed Industrial Unit
at
Forest Gate Business Park
Christchurch Road, Ringwood
for
GR Commercial Investments Ltd

Date: March 2016 Scale: 1:500/8/11 Drawn: D.A.
ARCHITECTS
UNIT 14, BALCOMBE INDUSTRIAL PARK
100, WIMBORNE ROAD, WIMBORNE, DORSET, BH21 3JY
TEL: 01929 434343 FAX: 01929 434344





"Anthracite" eaves trim

6°

"Silver" composite Cladding

facing brickwork "buff" colour

"Goosewing Grey" composite cladding

Proposed Front - South East - Elevation

1:100 @ A1

2400



General Notes

- DESIGNED IN ACCORDANCE WITH CIBSE GUIDELINES AND LUCECO STANDARDS FOR ILLUSTRATIVE PURPOSES
- PLEASE DO NOT SCALE THIS DRAWING

No. Revision/Issue Date

LUCECO

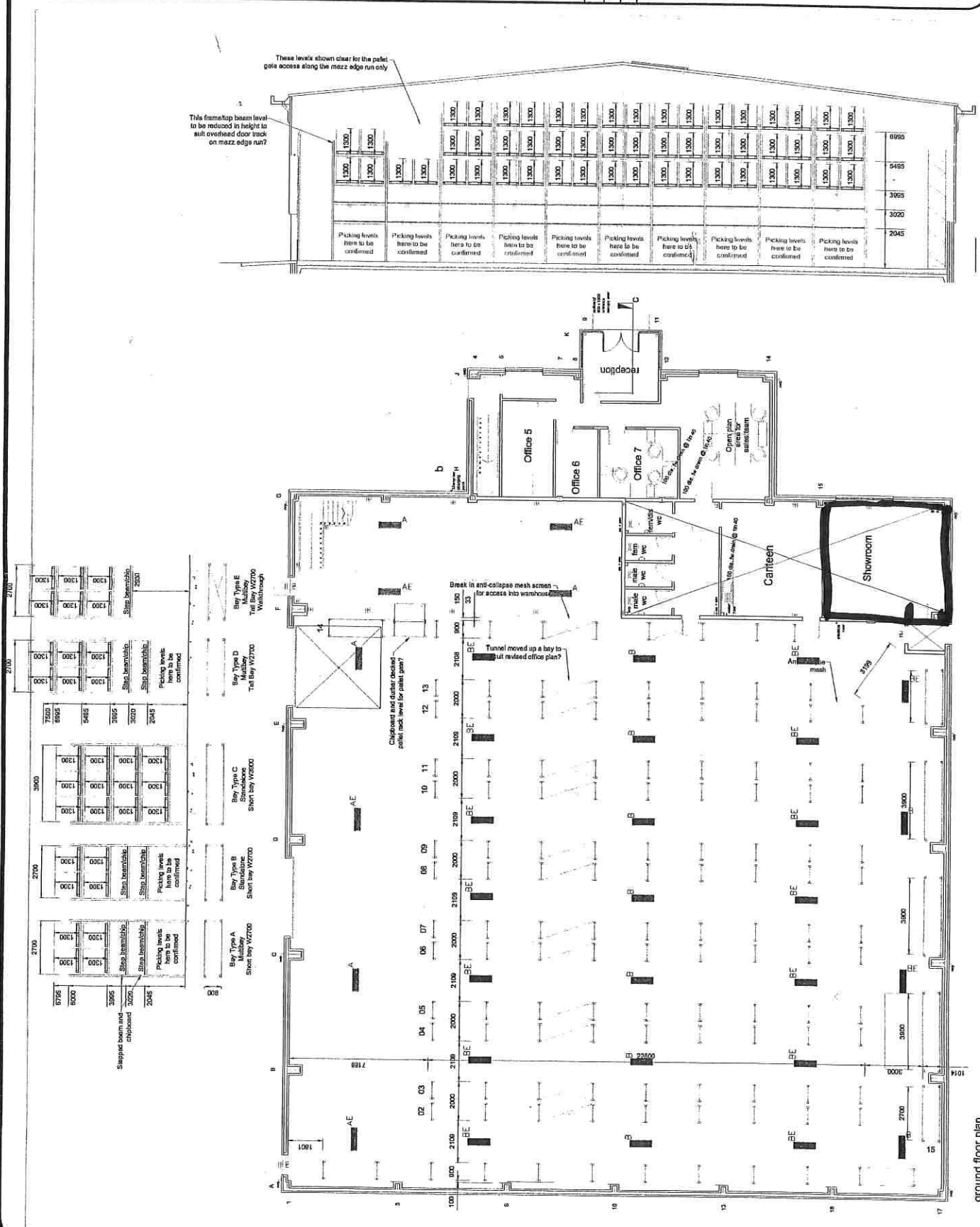
LUCECO
 21, Station Road
 Telford
 Shropshire
 TF3 3BD
 United Kingdom

AES Holdings

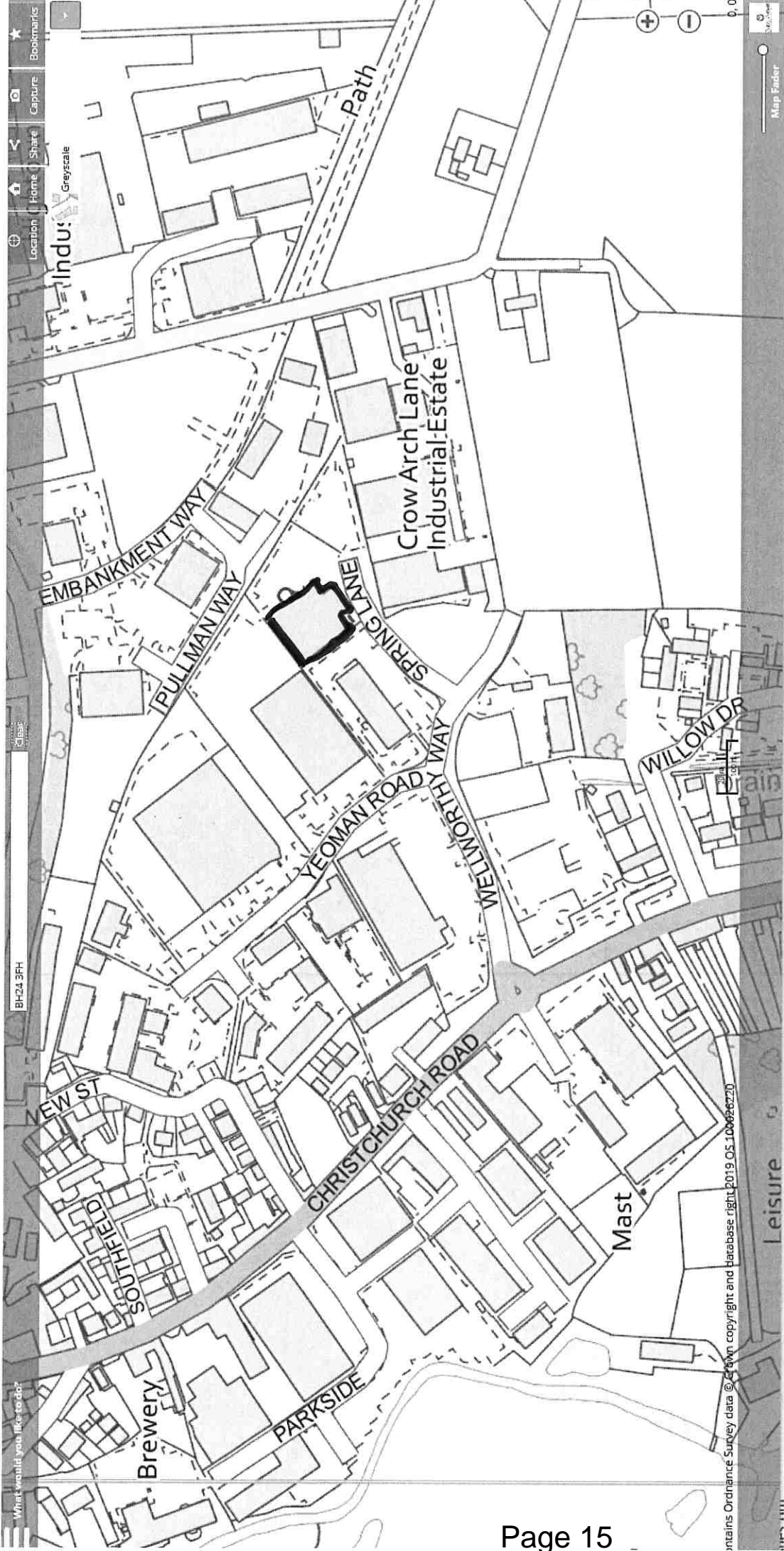
Project: 21305
 Date: 31-08-2017
 Issue: 118481

These levels shown clear for the pallet gate access along the mezz edge run only

This frametop beam level to be reduced in height to suit overhead door track on mezz edge run?



ground floor plan



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Photo 1



Photo 2



Photo 3



Photo 4

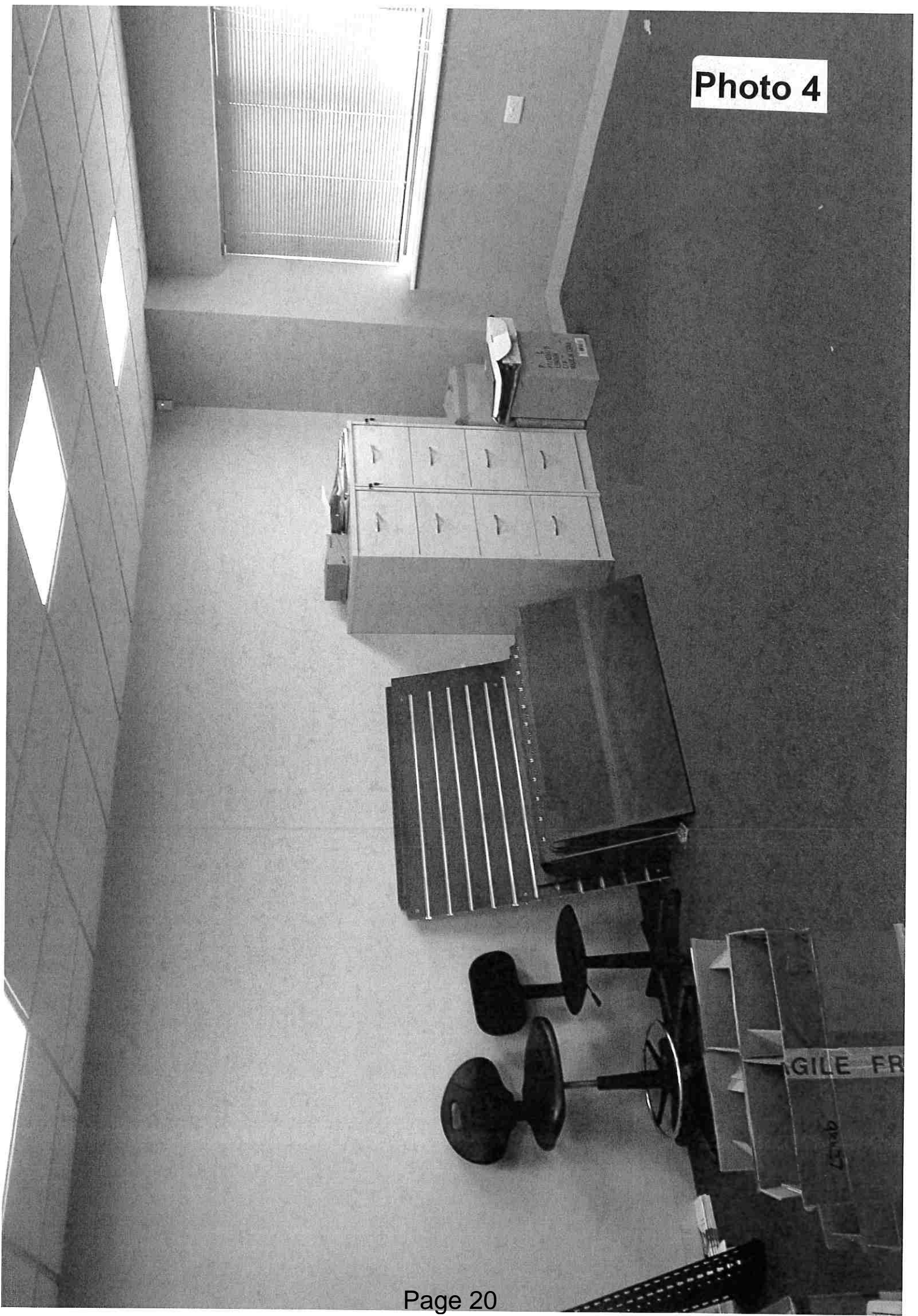


Photo 5

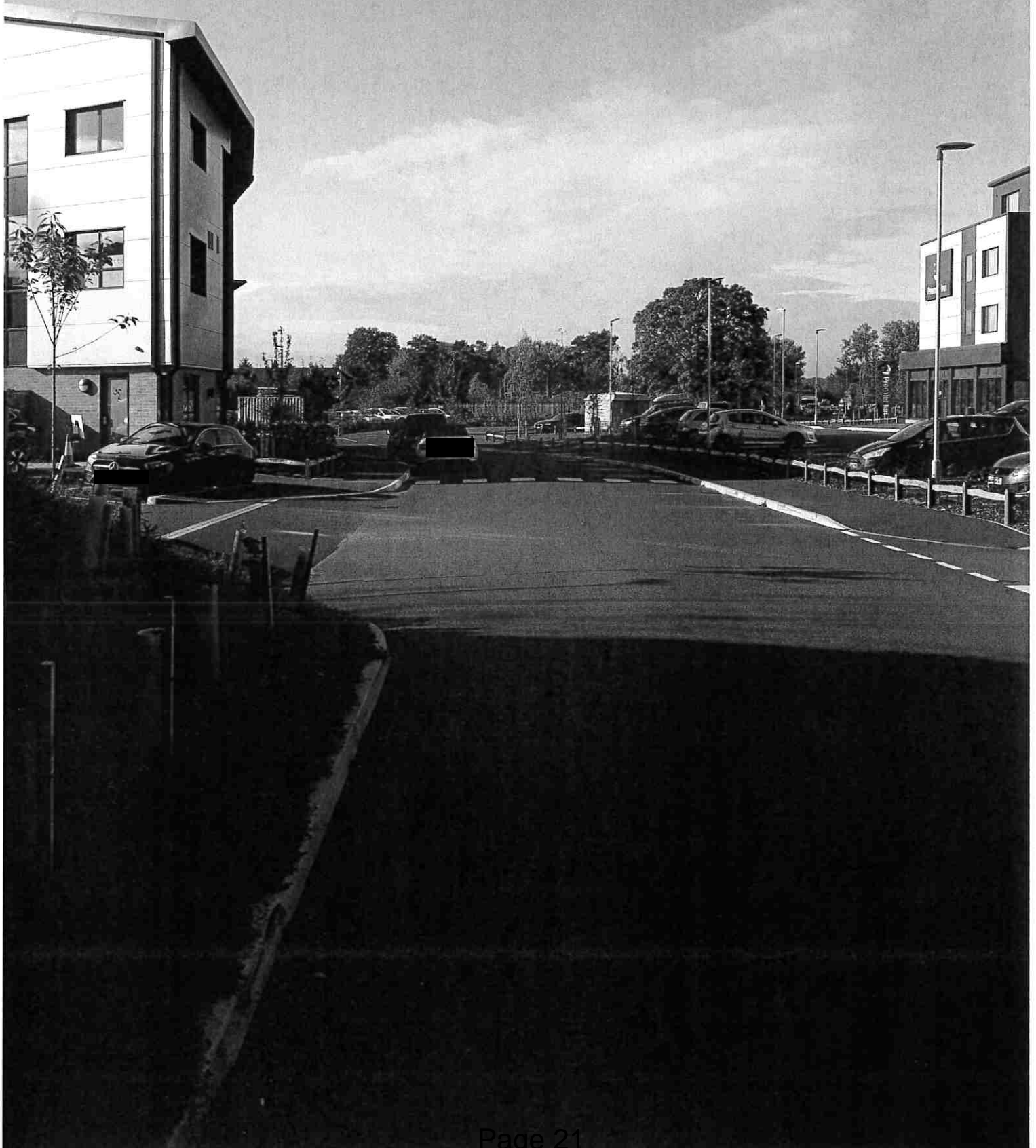


Photo 6



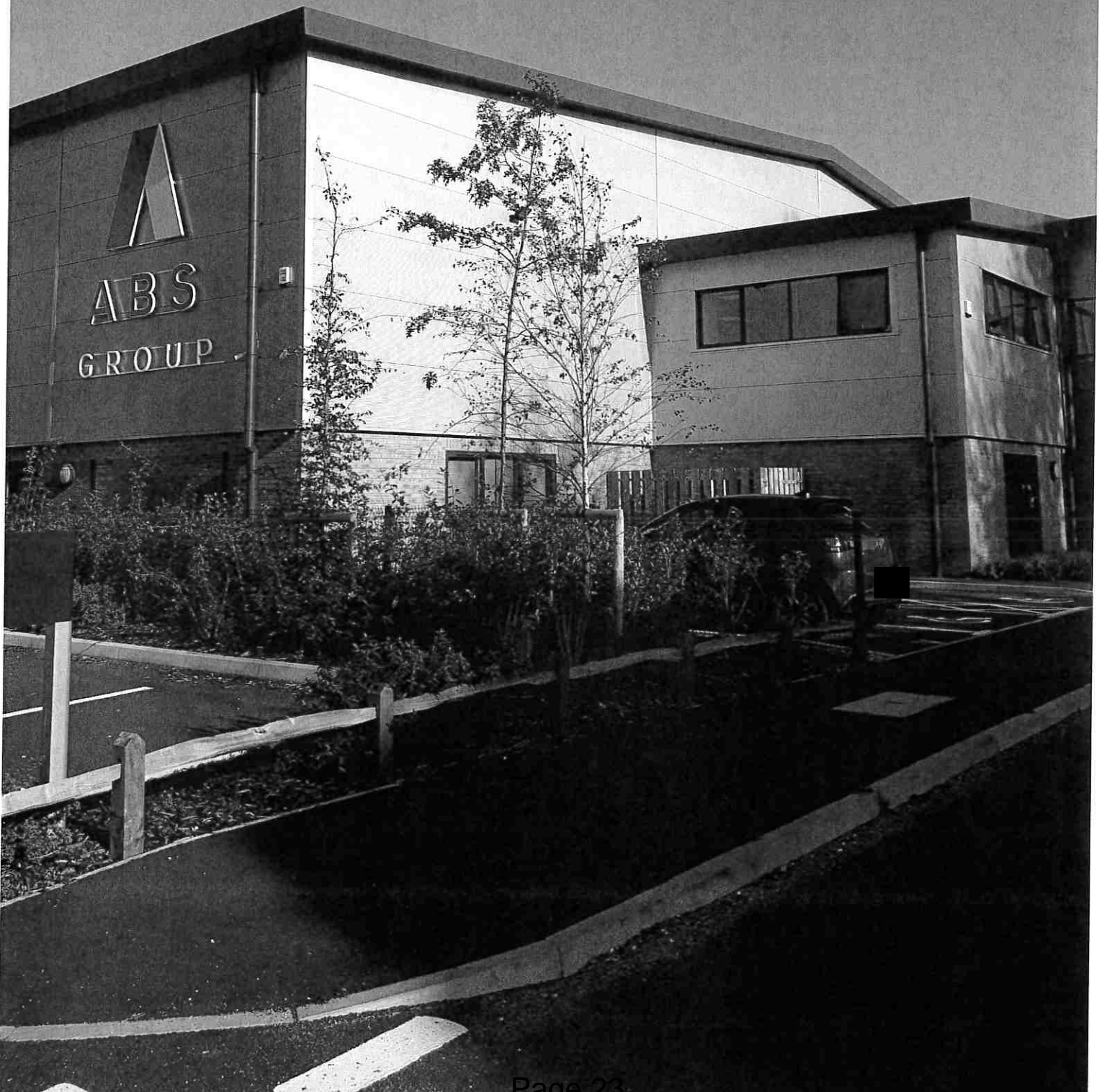


Photo 8



Photo 9



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NEW FOREST DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

Mr Pennington
QPArchitecture
Qparchitecture
25a High Street
Christchurch
BH23 1AB

Application Number: **19/11074**

Applicant: ABS Group

Date of Application: 20 August 2019

THE NEW FOREST DISTRICT COUNCIL as the Local Planning Authority **GRANTS PLANNING PERMISSION** for the following development:

Development: **Change of use from B1/2/8 to A1**

Site Address: **Abs Holdings, Spring Lane, Ringwood BH24 3FH**

Subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans: Q912-01 (Location Plan), Q912-02 (Site Plan and Floor Plan), Q912-03 (Block Plan) and the Design and Access Statement by QP Architecture dated August 2019.

Reason: To ensure satisfactory provision of the development.

3. Retail activity shall be restricted to that area of floor space within the building, hatched red on drawing number Q912-02 (Site Plan and Floor Plan), unless the prior written approval of the Local Planning Authority is forthcoming.

Reason: To safeguard the amenities of the area and to safeguard the vitality and viability of the Town Centre, to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and retail protection policies.

Notes to applicant

1. Important notes, including the rights of appeal, are set out on a sheet attached to this notice and you are advised to read these carefully.
2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, Orders or Regulations made under such Acts.
3. If this permission leads to the creation of any new properties or a change to your property's access onto a different street, you should contact Mrs Sally Dobson in the Council's Address Management Section on 023 8028 5588 or e-mail address.management@nfdc.gov.uk regarding the addressing of the property/development.
4. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

Date: 10 October 2019

Claire Upton-Brown

Claire Upton-Brown
Chief Planning Officer
Development Management
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982
CONTROL OF SEX ESTABLISHMENTS
**REGULATIONS MADE UNDER PARAGRAPH 13 OF SCHEDULE 3
 TO THE 1982 ACT PRESCRIBING STANDARD CONDITIONS
 APPLICABLE TO LICENCES FOR SEX ESTABLISHMENTS**
EFFECTIVE FROM THE APPOINTED DAY
Definition

1. In these Regulations save where the context otherwise requires the following expressions shall have the following meanings:-
 - (i) "Sex Establishments", "Sex Cinema", "Sex Shop" and "Sex Article" shall have the meanings ascribed to them in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.
 - (ii) "Premises" means a building or part of a building and any forecourt yard or place of storage used in connection with a building or part of a building which is the subject of a licence for a Sex Establishment granted under the said Schedule 3.
 - (iii) "Licensee" means the person to whom the licence has been granted or transferred under the said Schedule 3.
 - (iv) "Approval of the Council" or "Consent of the Council" means the approval or consent of the Council in writing.
 - (v) "Approval" means by the Council in writing.
 - (vi) "The Council" means New Forest District Council.
 - (vii) "Film" shall have the meaning ascribed to it in the Films Act 1985.

General

2. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a Sex Establishment the special conditions shall prevail.
3. The grant of a licence for a Sex Establishment shall not be deemed to convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
4. The marginal notes inserted in these Regulations are inserted for the purposes of convenience only and shall not affect in any way the meaning or construction thereof.

Times of opening

5. Except with the previous consent of the Council a Sex Establishment shall not be open to the public before 9.00 a.m. and shall not be kept open after 6.00 p.m.

6. Except with the previous consent of the Council, a Sex Establishment shall not be open on Sundays or any Bank Holiday or any public holidays.

Conduct and management of Sex Establishments

7. Where the Licensee is a body corporate or an unincorporated body, any change of director, company secretary or other person responsible for the management of the body is to be notified in writing to the Council within fourteen days of such change and such written details as the Council may require in respect of any new director, secretary or manager are to be furnished within fourteen days of a request in writing from the Council.
8. The Licensee or some responsible person nominated by him in writing for the purpose of managing the Sex Establishment in his/her absence and of whom details have been supplied to and approved in writing by the Council shall be in charge of and upon the Premises during the whole time they open to the Public.
9. The name of the person responsible for the management of a Sex Establishment (whether the Licensee or a Manager approved by the Council) shall be predominantly displayed within the Sex Establishment throughout the period during which he is responsible for its conduct.
10. The Licensee shall maintain a register in which he shall record the name and address of any person approved under Regulation 8 or 9 hereof by the Council who is to be responsible for managing the Sex Establishment in his/her absence and the names and addresses of those employed in the Sex Establishment. Any changes in the particulars shall be recorded forthwith in the register and the register shall be kept available for inspection by the Police and by authorised officers of the Council.
11. The Licensee shall retain control over all portions of the Premises and shall not let, licence or part with possession of any part of the Premises.
12. The Licensee shall maintain good order in the Premises.
13. No person under the age of 18 shall be admitted to the Premises or employed in the business of a Sex Establishment and a notice to this effect shall be prominently displayed at or near the entrance.
14. The Licensee shall ensure that the public are not admitted to any part or parts of the Premises other than those which have been licensed by the Council.
15. The Licensee shall ensure that no part of the Premises shall be used by prostitutes (male or female) for soliciting or for any immoral purposes.
16. Neither the Licensee nor any employee or other person shall seek to obtain custom for the Sex Establishment by means of person solicitation outside or in the vicinity of the Premises.
17. The Licensee shall comply with all statutory provisions and any regulations made thereunder.
18. The Licensee shall ensure that during the hours the Sex Establishment is open for business every employee wears a badge of a type to be approved by the Council indicating his/her name and that he is an employee.

19. The copy of the licence and of these Regulations required to be exhibited in accordance with paragraph 14(1) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall be reproductions to the same scale as those issued by the Council. The copy of the licence required to be displayed as aforesaid shall be suitably framed and the copy of these Regulations shall be retained in a clean and legible condition.

User

20. A Sex Shop shall be conducted primarily for the purpose of the sale of goods by retail.
21. No change of use of any portion of the premises from that approved by the Council shall be made until the consent of the Council has been obtained thereto.
22. No change from a Sex Cinema to a Sex Shop or from a Sex Shop to a Sex Cinema shall be effected without the consent of the Council.
23. Neither Sex Articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraining which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a Sex Cinema.

Goods available in Sex Establishments

24. All Sex Articles and other things displayed for sale, hire, exchange or loan within a Sex Shop shall be clearly marked to show to persons who are inside the Sex Shop the respective prices being charged.
25. All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase and a notice to this effect shall be prominently displayed within the Sex Establishment.
26. No film or video film shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification and bears a certificate to that effect and is a reproduction authorised by the owner of the copyright of the film so certified.
27. The Licensee shall without charge display and make available in the Sex Establishment such free literature on counselling on matters related to sexual problems as may be published by the Family Planning Association and by such other similar organisations as may be specified by the Council. Such literature is to be displayed in a prominent position approved by the Council adjacent to all cash collection points in the Sex Establishment.

External appearance

28. No display, advertisement, word, letter, model, sign, placard, board, notice device, representation, drawing, writing, or any matter or thing (whether illuminated or not) shall be exhibited so as to be visible from outside the Premises except:-
 - (i) Any notice of a size and in a form approved by the Council which is required to be displayed so as to be visible from outside the Premises by law, or by any condition of a licence granted by the Council.
 - (ii) Such display, advertisement, word, letter, model, sign, placard, board, notice, device, representation, drawing, writing, or any matter or thing as shall have been approved by the Council.

29. The entrances to the Premises shall be of such a nature as will render the interior of the Premises invisible to passers-by.
30. Windows and openings to the Premises other than entrances shall not be obscured otherwise than with the consent of the Council but shall have suspended behind them, in a position and at an attitude approved by the Council, opaque screens or blinds of a type and size approved by the Council. This regulation shall not be construed as lessening the obligation of the Licensee under Regulation 28 hereof.

State, condition and layout of the premises

31. The Premises shall be maintained in good repair and condition.
32. Lighting in all parts of the Premises as approved by the Council shall be in operation continuously during the whole of the time that the Sex Establishment is open to the public.
33. The number, size and position of all doors or openings provided for the purposes of the ingress and egress of the public shall be approved by the Council and shall comply with the following requirements:-
 - (i) All such doors or openings approved by the Council shall be clearly indicated on the inside by the word "exit".
 - (ii) Doors and openings which lead to parts of the Premises to which the public are not permitted to have access shall have notices placed over them marked "private".
 - (iii) Save in the case of emergency no access shall be permitted through the Premises to any unlicensed premises adjoining or adjacent.
34. The external doors to the Sex Establishment shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
35. The Licensee shall make provision in the means of access both to and within the Sex Establishment for the needs of members of the public visiting the Sex Establishment who are disabled.
36. No fastenings of any description shall be fitted upon any booth or cubicle within the Sex Establishment nor shall more than one person (including any employee) be present in any such booth or cubicle at any time.
37. Alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout of the Premises shall not be made except with the prior approval of the Council.
38. All parts of the Premises shall be kept in a clean and wholesome condition to the satisfaction of the Council

Safety

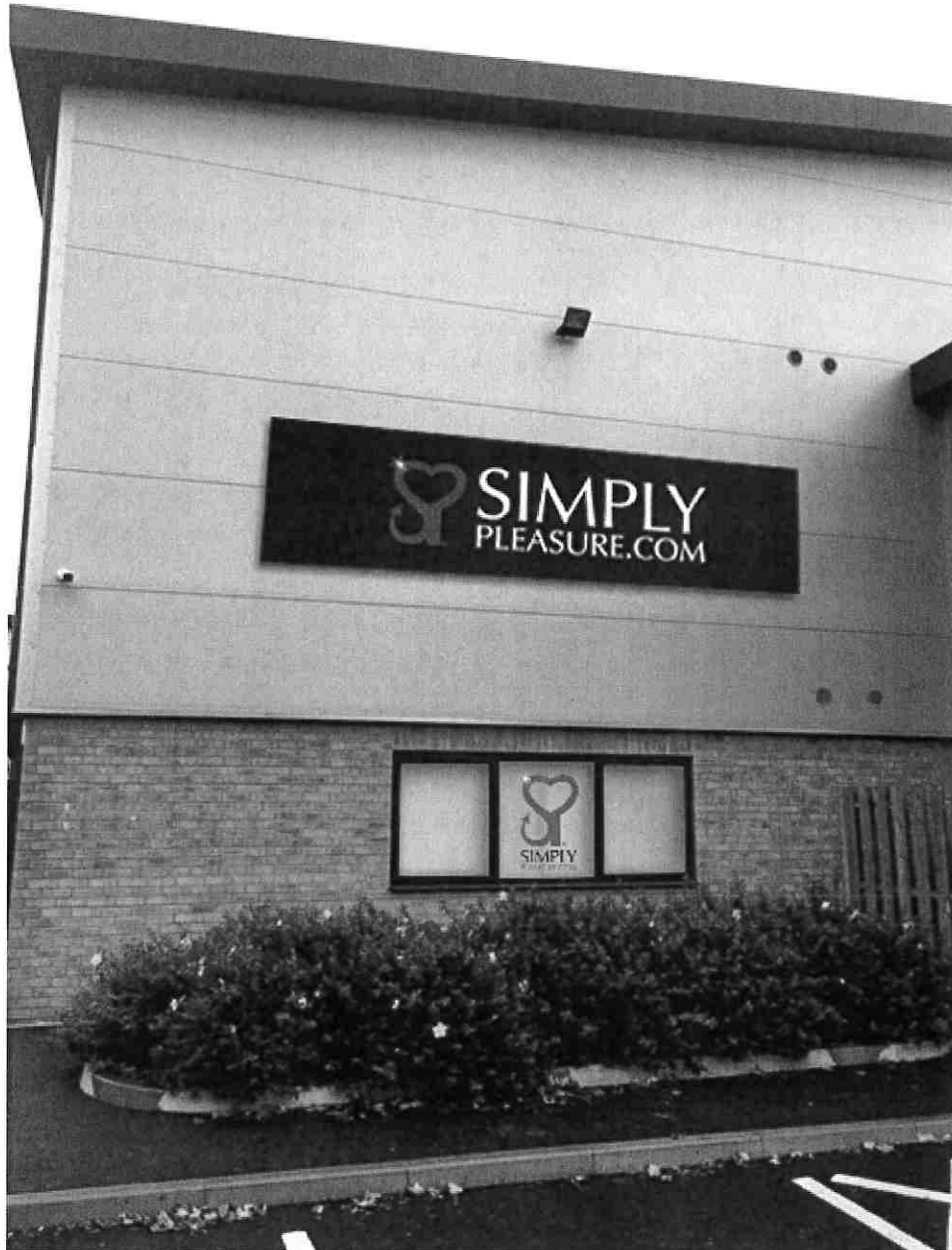
39. The Licensee shall take all reasonable precautions for the safety of the public and employees.
40. The Licensee shall comply with any fire prevention and safety measures that may be required of him by the Council.

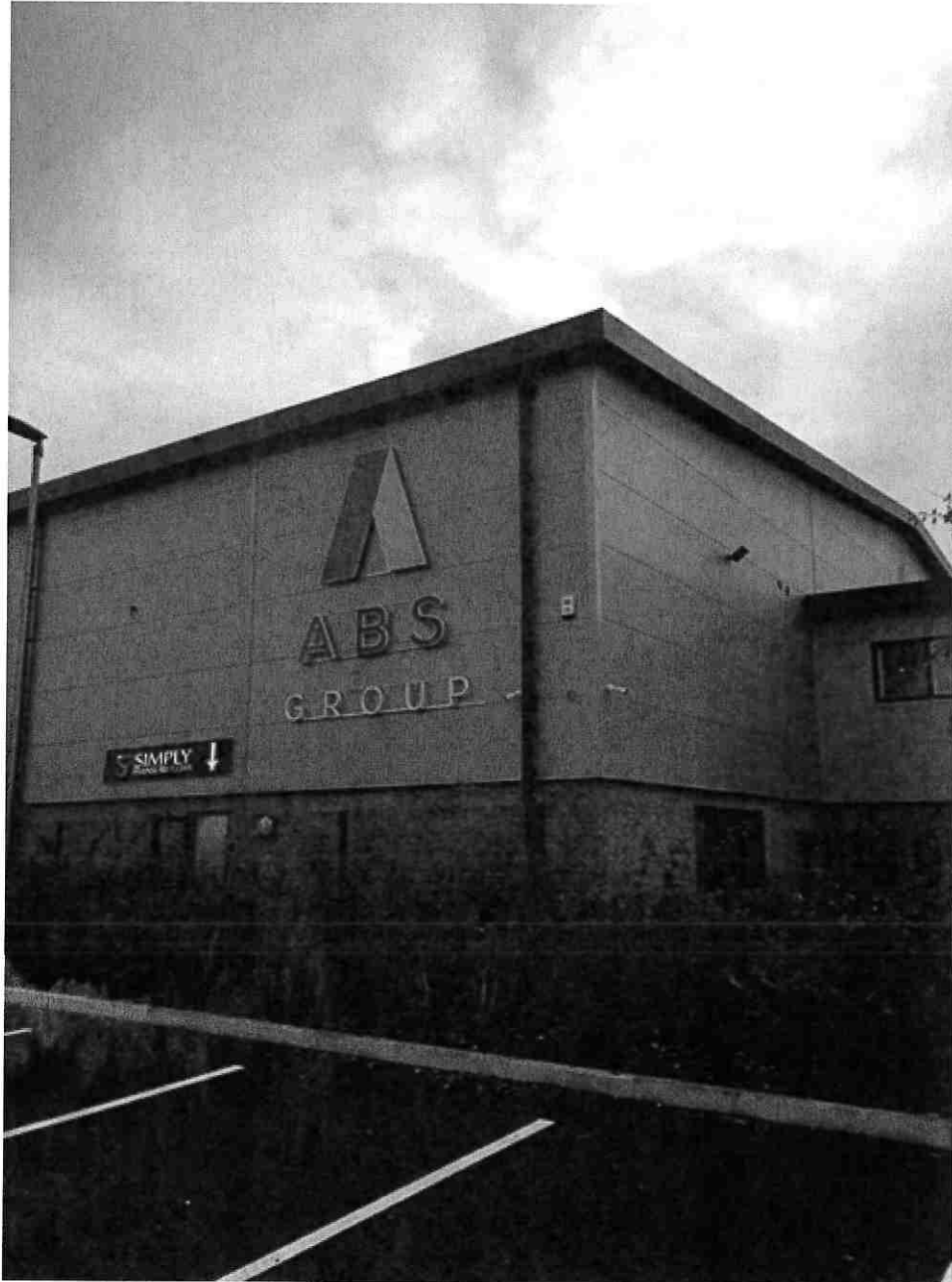
41. The Premises shall be provided with fire appliances suitable to the fire risks of the Premises and such fire appliances shall be maintained in proper working order and shall be available for instant use.

Notification of changes

42. Where the consent of the Council is required to a change under Regulations 21, 22 or 37 hereof, the application for consent shall be accompanied by such specifications, including plans, of the proposed changes as the Council shall require in respect of their consideration of the application.
43. Where there is a material change in the particulars given or referred to in the application for the grant or, where the licence has been renewed, in the most recent application of the renewal of the licence, the Licensee shall notify the Council of the change as soon as reasonably practicable after it has taken place **PROVIDED THAT** it shall not be necessary for the Licensee to notify the Council of that change under this Regulation where the Council have given their consent under Regulation 21, 22 or 37, or where the Council have been notified of that change under Regulation 7.

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