

LN/000000122

**LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982
Part II Schedule 3, Section 2**

THE DOVER DISTRICT COUNCIL

Being the Licensing Authority under Section 2 of the above Act

HEREBY GRANT LICENCE TO

**DARKER ENTERPRISES LTD
UNIT 11B TRADE CITY
ASHTON ROAD
HAROLD HILL
ESSEX
RM3 8UJ**

To use the premises situated at

PRIVATE SHOP, 64 LONDON ROAD, DOVER

For the purpose of a sex establishment comprising a sex shop as defined in Schedule 3 of the above Act.

A fee of £2,225.00 has been paid for this Licence.

**THIS LICENCE shall continue in force from the date hereof until
28th February 2014 unless previously revoked.**

GRANTED on

**Licensing Team Leader
Authorised Officer**

DEFINITIONS

Save where the context otherwise requires, the following expressions shall have the following meanings:-

- (i) "Sex Establishment", "Sex Cinema" "Sex Shop" and "Sex Article" shall have the meanings ascribed to them in the Third Schedule of 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 Third Schedule.
- (iii) "Approval of the Council" or "consent of the Council" means the approval or consent of the Council in writing.
- (iv) "Approved" means approved by the Council in writing.
- (v) "The Council" means the Dover District Council.
- (vi) "Film" shall have the meaning ascribed to it in the Films Acts 1960 – 1980.

GENERAL

CONDITION 1

Grant of a licence for a sex establishment shall not be deemed to convey any approval or consent which may be required under any other enactment by law, order or regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.

TIMES OF OPENING

CONDITION 2

The premises may remain open between the hours of 10:00 and 18:00 hours Monday to Saturday except

On Fridays when the premises may open between 10:00 and 20:00 hours,

On Sundays from 10.00 to 16.00 hours.

During the two week period immediately prior to Christmas when the premises may remain open between 10:00 to 20:00 hours Monday to Saturday and 10:00 to 16:00 on Sunday.

CONDITION 3

Except with the previous consent of the Council a sex establishment shall not be open on Christmas Day, Boxing Day and Good Friday.

CONDUCT AND MANAGEMENT OF SEX ESTABLISHMENTS

CONDITION 4

Where the Licensee is the 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 14 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 14 days of a request in writing from the Council.

CONDITION 5

The Licensee or some other responsible person nominated by him in writing for the purpose of managing a sex establishment in his absence and of whom details (including photographs) 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 are open to the public.

CONDITION 6

The name of the person responsible for the management of the sex establishment being either the Licensee or a manager approved by the Council, shall be prominently displayed within the sex establishment throughout the period during which he is responsible for its conduct.

CONDITION 7

Registers shall be kept on the premises showing the name and address of any person who is responsible for managing the sex establishment in the temporary absence of the person nominated pursuant to Licence condition 5.

CONDITION 8

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.

CONDITION 9

The Licensee shall maintain good order in the premises.

CONDITION 10

No person under the age of 18 shall be permitted to the premises or employed in the business of a sex establishment.

CONDITION 11

The Licensees shall ensure that the public are not admitted to any part or parts of the premises other than those which have been approved by the Council.

CONDITION 12

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.

CONDITION 13

Neither the Licensee nor any employee or any person shall seek to obtain custom for the sex establishment by means of a personal solicitation outside or in the vicinity of the premises.

CONDITION 14

The Licences shall ensure that during the hours the sex establishment is open for business every employee wears an identifying badge, of a type approved by the Council, indicating his name and that he is an employee.

CONDITION 15

The Licensee shall comply with all statutory provisions and any regulations made thereunder.

PREMISES

CONDITION 16

The change of use of any portion of the premises from that approved by the Council, shall not be made until the consent of the Council has been obtained thereto.

CONDITION 17

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.

GOODS AVAILABLE IN SEX ESTABLISHMENTS

CONDITION 18

All sex articles and other things displayed for sale, hire, exchange or loan within a sex shop, shall be clearly marked to be showed to the persons who are inside the sex shop the respective prices being charged.

CONDITION 19

The printed matter offered for sale, hire, exchange or loan, shall be available for inspection prior to purchase, and a notice to this effect is to be prominently displayed within the sex establishment.

CONDITION 20

No film or video shall be shown or screened in the premises except in accordance with the following conditions:-

- a) the screen shall be placed in such a position so as not to be visible to the public outside the premises.
- b) the screen shall be placed in such a position to the satisfaction of the Chief Environmental Services Officer.
- c) only videos of clips of other videos for advertising purposes shall be shown and no individual clip shall be shown for longer than three minutes.
- d) no film/movie will be shown in its entirety.
- e) films will not be shown at the customers request.

EXTERNAL APPEARANCE

CONDITION 21

Display, advertisement, words, letter, model, sign, placard, board, notice, device, representation, drawing, writing, or any other matter or thing (whether illuminated or not) shall not be exhibited so as to be visible from the outside of the premises except:-

- (i) Any notice of a size and in the 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.

CONDITION 22

A notice showing the hours of opening shall be displayed or exhibited on the door of the premises in a form and manner to be approved by the Council.

CONDITION 23

A notice showing that persons under 18 years of age shall be excluded from the premises shall be exhibited on the door of the premises in a form and manner to be approved by the Council.

CONDITION 24

The entrance doors to the premises shall be obscured, screened or arranged so as to effectively prevent the interior of the premises being seen by passers by.

The obstruction, screening or other arrangements to the satisfaction of and approved by the Council.

CONDITION 25

- (i) The windows of the licensed premises fronting the pavement shall not be as obscured other than with the consent of the Council, but shall have suspended behind them, in a position and attitude approved by the Council, such opaque blinds or screens or other arrangements as approved by the Council.
- (ii) These conditions shall not be construed as lessening any obligations of the Licensee under Licence condition No 21.
- (iii) Any such special precautions as may be necessary shall be taken to maintain the screening of the shop windows during any cleaning operations.

STATE, CONDITION AND LAYOUT OF THE PREMISES

CONDITION 26

The premises shall be maintained in good repair and condition throughout, including the front fascia of the shop and entrance to the satisfaction of the Council.

CONDITION 27

Lighting to a level approved by the Council shall be maintained in the sex establishment during the hours when the sex establishment is open to the public.

CONDITION 28

The number, size and position of all doors or openings provided for the purpose 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 – no access to the public".
- (iii) Save in the case of emergency, no access shall be permitted through the premises to any unlicensed premises adjoining or adjacent.

CONDITION 29

The external door/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.

CONDITION 30

Alterations or additions either internal or external, 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.

CONDITION 31

All parts of the premises shall be kept in a clean and wholesome condition to the complete satisfaction of the Council.

CONDITION 32

The Licensees shall take all reasonable precautions for the safety of the public and employees.

CONDITION 33

The Licensee shall comply with any fire prevention and safety measures that may be required of him by the Council.

CONDITION 34

The premises shall be provided with fire fighting equipment suitable to the fire risks of the premises and such fire fighting equipment shall be maintained in a proper working order and shall be available for instant use.