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SPECIAL DELIVERY

Licensing Manager
Licensing Section
Dover District Council
White Cliffs Business Park
Dover
Kent
CT16 3PJ



6th August 2013
(Date of application)

Dear Sir/Madam,

Re: Local Government (Miscellaneous Provisions) Act 1982
Licence Variation: Private Shop, 64 London Road, Dover, CT17 0SP

Please find enclosed herewith our application for the variation of the licence under Schedule 3 of the above Act in respect of the above premises.

We understand that certain Councils distribute copies of such applications to the public and we have, therefore, enclosed the private addresses in a separate envelope marked 'Private and Confidential' in order to protect the family homes. We would be grateful if you would observe the confidentiality of this information and not release same to members of the public.

We confirm that a copy of this application will be sent to Chief Officer of Police, Dover Police Station and that the Notice will be published in a local paper and a copy of the notice will be displayed at the premises for a period of 21 days from the date of application.

If you have any queries or require additional information, please do not hesitate to contact us.

Yours faithfully
For and on behalf of
Darker Enterprises Limited

A handwritten signature in black ink, appearing to read "C C Mason".

C C Mason
Director.

Darker Enterprises Limited

Licensing Administration
Unit 11B, Trade City, Ashton Road
Harold Hill, Essex RM3 8UJ
Tel: 020 8114 1007 - Fax: 020 8114 1006
Email: licensing@thamesroad.co.uk

RECORDED DELIVERY

Chief Officer of Police
Dover Police Station
Ladywell
Dover
CT16 1DJ

6th August 2013
(Date of application)

Dear Sir/Madam,

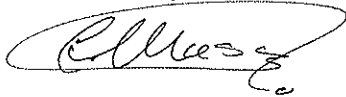
Re: Local Government (Miscellaneous Provisions) Act 1982
Licence Variation: Private Shop, 64 London Road, Dover, CT17 0SP

Please find enclosed a copy of our application for the variation of the licence for the above premises.

We would be obliged if, in accordance with High Court Judgements, you would let us have a copy of any observations you may make to the Local Authority in respect of this application, in order that we may be adequately prepared for any hearing that may arise.

Should you require any further information please do not hesitate to let us know.

Yours faithfully
For and on behalf of
Darker Enterprises Limited



C C Mason
Director

Encl.



The Licensing Team
Dover District Council
White Cliffs Business Park
Dover
CT16 3PJ

Contact Details:
Tel: 01304 872295
Fax: 01304 872217
Email: licensing@dover.gov.uk
Web: www.dover.gov.uk/licensing

APPLICATION FOR THE VARIATION OF A LICENCE FOR A SEXUAL ENTERTAINMENT VENUE

Data Protection

Dover District Council is the Data Controller. Your personal information will be held and used in accordance with the requirements of the Data Protection Act 1998.

We will use the information you have provided in connection with the administration of Licensing.

We may lawfully disclose information to other public sector agencies to:

- prevent or detect fraud and any other crime;
- support national fraud initiatives;
- protect public funds;
- progress your request for service.

We may also use basic information about you, e.g. name and address, in other areas of service provision at Dover District Council if this:

- helps you to access our services more easily;
- promotes the more efficient and cost-effective delivery of services;
- helps us to recover monies that you owe us.

We will not use your personal information in a way that may cause you unwarranted detriment.

If you require this document in an alternative format, please contact us.

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant questions). You may wish to keep a copy of the completed form for your records.

**APPLICATION FOR THE VARIATION OF A LICENCE FOR A SEXUAL
ENTERTAINMENT VENUE
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1982, SCHEDULE 3. (As amended)**

EITHER:

Part 1 – If application is made on behalf of an individual please state:			
Title: Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other (please specify)	N/A		
Surname:	N/A		
Other name(s):			
Home address:	N/A		
Postcode:	N/A		
Place of birth:	N/A		
Date of birth:	N/A	Age:	N/A
Telephone:	Daytime:	N/A	
	Mobile:	N/A	
	Evening:	N/A	
Email address:	N/A		
<i>[please give as many contact details as possible in case we need to contact you]</i>			

OR:

Part 1 – If application is made on behalf of a corporate or incorporated body please state:	
Full name of body:	Darker Enterprises Limited
Full address of registered or principal office:	Unit 11B, Trade City, Ashton Road, Harold Hill, Essex
Postcode:	RM3 8UJ
Telephone:	0208 114 1007
Email address:	licensing@thamesroad.co.uk

Part 2 – Give full names and private address of all directors or other persons responsible for management of the establishment			
Title: Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other (please specify)			
Surname:	Mason		
Other name(s):	Colin		
Position in company (manager/company secretary etc.):	Director/Regional co-ordinator		
Home address:	Please see envelope marked "Private & confidential"		
Postcode:			
Place of birth:	Surrey		
Date of birth:	27/12/1954	Age:	58
Telephone:	Daytime:	0208 114 1007	
	Mobile:		
Email address:	licensing@thamesroad.co.uk		

Title: Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other (please specify)			
Surname:		Brown	
Other name(s):		David Michael	
Position in company (manager/company secretary etc.):		Director	
Home address:		Please see envelope marked "Private & confidential"	
Postcode:			
Place of birth:		Edmonton	
Date of birth:		09/02/1955	Age: 58
Telephone:		Daytime: 0208 114 1007	Mobile:
Email address:		licensing@thamesroad.co.uk	
Title: Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other (please specify)			
Surname:		Glanville	
Other name(s):			
Position in company (manager/company secretary etc.):		Area Admin Supervisor	
Home address:		Please see envelope marked "Private & confidential"	
Postcode:			
Place of birth:		Wales	
Date of birth:		02/04/1969	Age: 44
Telephone:		Daytime: 0208 114 1007	Mobile:
Email address:		licensing@thamesroad.co.uk	
Title: Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other (please specify)			
Surname:		Grace	
Other name(s):		Harrison Robert	
Position in company (manager/company secretary etc.):		Full time Sales Assistant	
Home address:		Please see envelope marked "Private & confidential"	
Postcode:			
Place of birth:		Barrow in Furness	
Date of birth:		06/06/1987	Age: 26
Telephone:		Daytime: 0208 114 1007	Mobile:
Email address:		licensing@thamesroad.co.uk	

Title: Mr Mrs Miss Ms Dr Other (please specify)

Surname: Thomas

Other name(s): Byron

Position in company Relief Sales Assistant

(manager/company secretary etc.):

Home address: Please see envelope marked "Private & confidential"

Postcode:

Place of birth: London

Date of birth: 27/02/1984 Age: 29

Telephone: Daytime: 0208 114 1007

Mobile:

Email address: licensing@thamesroad.co.uk

Title: Mr Mrs Miss Ms Dr Other (please specify)

Surname:

Other name(s):

Position in company

(manager/company secretary etc.):

Home address:

Postcode:

Place of birth:

Date of birth: Age:

Telephone: Daytime:

Mobile:

Email address:

Part 3 – 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?

NO

If YES, please state:

- a) All convictions must be disclosed
- b) Spent convictions, as defined below, should not be included

Date of conviction(s)	Offence	Sentence (including suspended sentence)
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[continue on a separate sheet if necessary]

Part 3 - Convictions To Be Declared In Respect Of Applications Sex Establishment Licence

If you have been convicted of any of the following offences and they are "unspent" they must be declared on the application form:-

- Sexual offences.
- Offences involving obscenity.
- An offence involving the use, possession or supply of any drug.
- An attempt, incitement or conspiracy to commit any of the above offences.

The Rehabilitation of Offenders Act 1974 provides that after a certain period of time, convictions for offences are to be regarded as "spent". Set out below are some examples of when convictions become "spent". Please note it is from the date of **conviction** that the time commences. The periods of time which must elapse in other cases before the conviction becomes "spent" may vary considerably according to the nature of the offence and other circumstances. The rehabilitation period may, for example, be extended by the commission of a further offence during the rehabilitation period.

Further guidance on this may be obtained from the Home Office publication "A Guide to the Rehabilitation of Offenders Act 1974", available for reference at the Licensing Authority or from a solicitor.

Sentence.**Rehabilitation Period.**

- | | |
|--|---|
| 1. 2½ years (30 months) imprisonment and over whether sentence suspended or not. | Never spent. |
| 2. Imprisonment or detention in a young offender institution (previously known as youth custody) between six months and 30 months whether sentence was suspended or not. | Ten years. |
| 3. Imprisonment or detention in a young offender institution (previously known as youth custody) of six months or less whether sentence was suspended or not. | Seven years. |
| 4. A fine, compensation or community service order. | Five years. |
| 5. Conditional discharge, bound over or probation order. Also includes fit person, supervision and care orders. | One year or period of probation sentence, whichever is longer. |
| 6. Absolute discharge. | Six months. |
| 7. Disqualification, disability or prohibition. | Period of sentence unless a longer period as above (e.g. disqualification and a fine 5 Years) |
| 8. Remand Home/Approved School/Attendance Centre Orders. | One year after Order expires. |
| 9. Hospital Order under Mental Health Acts. | 5 years, or two and a half years after the order expires (whichever is the longer). |

Offences under HM Services - please enquire at the Licensing Authority for periods of rehabilitation.

Part 4 – Questions	
1. Have you been a resident in the United Kingdom throughout a period of six months immediately preceding the date of this application?	N/A
2. If the application is made on behalf of a body corporate, is that body incorporated in the United Kingdom?	YES

Part 5 – Particulars

3. Full address of premises desired Private Shop, 64 London Road, Dover
to be used as a sex
establishment:
Postcode: CT17 0SP
4. If this application relates to a vehicle/vessel/stall give description and state where it is to
be used as a sex establishment:
N/A
5. State hours and days that you wish to trade:
10.00am to 6.00pm Monday to Saturday (Friday to 8.00pm
10.00am to 4.00pm Sunday
10.00am – 8.00pm Monday to Thursday and Saturday the two weeks preceding
Christmas each year.
6. Are the premises to be used as a sex shop? Yes
7. Are the premises to be used as a sex cinema? No
8. Are the premises to be used as a sex encounter establishment? No
9. Are you (or, if a corporate or unincorporated body, that body) disqualified No
from holding a licence for a sex establishment?
10. Have you ever been refused a licence for a sex establishment? **Please** Yes
see Attachment 1
11. If you are seeking to vary the licence, what does the variation consist Yes
of? We wish to have a window display. Pictures are enclosed of how
the shop window looks now, and a proposed picture of how it may look if
approval is given.
12. Details of crime prevention strategy

***Council seeks to ensure that all holders of sex establishment
licence(s) develop crime prevention strategies. Please attach with this
application your current (or proposed) strategy. You are advised to
consult with the Crime Reduction Unit at ***** Police Station.

Part 6 – Additional documentary requirements, Declaration and Checklist (please tick)

13. We confirm that, to the best of our knowledge, the information contained in this
application is true.
14. The prescribed fee is enclosed (cheques should be made payable to Dover District
Council). No fee required for variation.
Card payments may be made by telephoning : 01304 872295
Cash payments may be made at *****
In the event of an application being refused, any refund of the prescribed fee, will
be less any costs incurred by the Council
15. I/WE have enclosed a site plan of the premises, scale 1:500
16. I/WE have enclosed a scale plan (scale 1:100) of the premises, vehicle, vessel or
stall in respect of which the licence is sought, showing (inter alia) all means of
ingress and egress, any parts used in common with any other business, and details

DARKER ENTERPRISES LIMITED - PREVIOUS APPLICATIONS REFUSED

Renewal / Grant	Date of Refusal	Authority	Grounds for Refusal	Subsequent outcome
R	13.7.89	Dacorum Borough Council	Para: 12(3)(d) (i) (ii)	Original decision quashed by High Court. Council ordered to review decision. Licence subsequently renewed.
G	20.7.89	Bradford Metropolitan Council	12(3)(d) (i) (ii)	Fresh application granted on 2 April, 2002
R	30.11.89	Shrewsbury & Atcham Borough Council	12(3)(d) (i)(ii)	Fresh application granted on 28.3.2001
R	03.05.90	Chesterfield Borough Council	12(3)(d) (i)	Original decision quashed by High Court. Council ordered to review decision. Licence subsequently renewed.
G	25.7.90	Cambridge City Council	12(3)(d) (ii)	Fresh application made 26.1.01 and Subsequently granted
R	26.2.91	Croydon Borough Council Croydon Shop	12(3)(d) (i)(ii)	
R	25.2.92	Croydon Borough Council Norbury Shop	12(3)(d) (i)(ii)	
R	26.4.93	City of Newcastle Upon Tyne	12(3)(a)	Appeal against decision made to Magistrates Court. Original decision quashed on appeal. Licence subsequently renewed.

G	5.7.94	Nottingham City Council	Para. 12(3)(c)	Fresh application made 30.4.02 and subsequently granted.
G	2.2.95	Peterborough City Council	12(3)(c)	Fresh application made 29.5.01 and subsequently granted
G	7.10.96	Leeds City Council	12(3)(c)(d)	Fresh application made 15.5.01 and subsequently granted
R	18.12.96	Wandsworth Borough Council	12(3)(d)(i)	Judicial Review of decision sought and granted. Council reheard application 7.8.97 and refused. Second Judicial Review sought and refused. Matter came before Court of Appeal. Appeal refused.
G	28.4.98	Stoke on Trent Borough Council	12(3)(c)(d)	Fresh application made 20.11.01 and subsequently granted
G	16.11.98	Preston Borough Council	12(3)(c)(d)	Fresh application made 31.12.01 and subsequently granted
G	16.12.01	Westminster City Council	12(3)(c)(d)	
G	5.3.02	Newham Borough Council	12(3)(d)	
G	30.4.02	Croydon Borough Council	12(3)(c)(d)	
G	8.7.02	Sunderland City Council	12(3)(di)(Dii)	
G	23.10.2002	Milton Keynes Borough Council	12(3)(c)(d)	Leave for Judicial Review sought on 17 th December, 2002. Leave refused.
G	10.2.2003	Aylesbury Vale District Council	12(3)(c)(d)	

G	10.4.03	Ashford Borough Council	12(3)(c) (d)	Subject of appeal to Ashford on 28.7.03 Appeal Upheld by Council Licence subsequently granted
G	10.7.03	Pembrokeshire County Council	12(3) (c) (d)	
G	22.9.03	Glasgow City Council	Civic Gov. Scotland Act	
G	25.9.03	Ipswich Borough Council	12(3)(c) (d)	
G	8.10.03	London Borough of Barnet	12(3)(c) (d)	
G	13.1.04	Gloucester City Council	12(3)(c) (d)	
R	11.3.04	Preston City Council	12(3) (c) (d)	Application for Judicial Review will be made. Subsequently granted licence for different premises. Judicial review withdrawn
G	17.3.04	Birmingham City Council	12(3) (c) (d)	
G	13.7.04	East Staffs. Borough Council	12(3) (c) (d)	
	24.11.04	Milton Keynes Council	12(3) (c)(d)	

G						
G	16.02.05	Birmingham City Council	12(3) (c)(d)			
G	10.3.05	London Borough of Camden	12(3)(c) (d)			
G	24.3.05	London Borough of Barnet	12(3) (c)(d)			
G	12.9.05	Aylesbury Vale District Council	12(3) (c) (d)			
R	16.1.06	Watford Borough Council	Para 3(c) Sch. 3			
R	9.5.06	South Somerset District Council	Para 12(3)(d)			
R	13.11.06	Halton Borough Council	Para 12(3)(d) Sch 3			
G	15.03.07	Merthyr Tydfil County Borough Council	Sch 3 Para 12 Sec.3(d)(f)			
G	9.10.07	Bournemouth Borough Council	Sec 12(3)(c)			
G	30.01.13	Blackpool Council	12 (3) (d) (f)	We will remain at our existing premises in Blackpool		



Dover

Proposed



To save this picture, right-click it and choose "Save Image". Macintosh users can click and drag the image to their desktop."

Existing shop window.