



Greenwich  
Council

# Sex Establishment Licensing Guidance

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2011+

Greenwich Council

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## **Preface**

This Guidance for sex establishments sets out Greenwich Council's requirements for premises to be licensed as sex establishments within the meaning of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009). The sex establishments covered by this guidance are sex shops, sex cinemas and sexual entertainment venues.

Section 2 of the Act provides that local authorities may resolve that schedule 3 will apply to their area, which has the effect of requiring premises operating as sex establishments in that authority's area to be licensed. Adoption of schedule 3 also allows Greenwich Council to set terms and conditions and fees for the grant, renewal, transfer and variation of such licences that may be issued in the area, including nil.

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## 1. Introduction

- 1.1 Greenwich Council adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the Act') on 16 February 1983, and the amendment under Section 27 of the Policing and Crime Act 2009 on the 13 April 2011, providing that anyone wishing to operate a 'sex establishment' within the borough must first obtain a licence from Greenwich Council.
- 1.2 Greenwich Council is mindful of possible local community concerns of premises applying for a sex establishment licence in their neighbourhood and the potential conflict that this may trigger between the applicant and community to such an application.
- 1.3 This Guidance for Sex Establishments sets out Greenwich Council's requirements for premises to be licensed as 'sex establishments' within the meaning of the Act (as amended). It also sets out the types of controls that are available to Greenwich Council when a decision are made about such applications, and explains what action can be taken if complaints are received.
- 1.4 Applicants are advised to have regard to Greenwich Statement of Licensing Policy under the Licensing Act 2003 which may impact on applicants, particularly those wishing to undertake other licensable activities such as the retail sale of alcohol.
- 1.5 Readers are strongly advised to seek their own legal advice if they are unsure of the requirements of the Local Government (Miscellaneous Provisions) Act 1982 as amended or schedules issued under the Act.

## 2. Sex Establishment Licence

- 2.1 A 'sex establishment' is defined under the Act as a 'sex shop', a 'sex cinema' or a 'sexual entertainment venue'. Full definitions of those and other relevant terms can be found in **Appendix A**. This appendix also provides detail on when a sexual entertainment venue is exempt from the provision of the Act.
- 2.2 In the London Borough of Greenwich, applicants who wish to operate a sex establishment, require a licence granted by the Council before they can operate premises that may include any vehicle, vessel or stall.
- 2.3 The necessity for a licence does not apply to the sale, supply or demonstration of articles which are manufactured for use primarily for the purposes of birth control or primarily relate to birth control.
- 2.4 Unless previously cancelled or revoked, a licence will remain in force for twelve months or such shorter period specified in the licence as Greenwich Council determines.

- 2.5 Greenwich Council may, upon application, waive the requirement for a licence in any case where it considers that to require a licence would be unreasonable or inappropriate.
- 2.6 Each application for a waiver will be considered on its own merits, however, any establishment that would normally require licensing under the provision of The Act is unlikely to be granted a waiver other than in exceptional circumstances.

### **3. Suitability of the Applicant**

3.1 The Act lists those people who are excluded from being able to hold a licence. A licence cannot be granted:

- To anyone under 18 years of age.
- To someone who has held a licence that was revoked in the last 12 months (from the date of revocation).
- To someone who has been refused a new or renewal of a licence within the last 12 months prior to the date of making the application.
- To an individual who is not resident in the United Kingdom or has not been resident for six months prior to make of an application.
- To a company not incorporated in the United Kingdom.

3.2 The applicant will also be required to demonstrate to Greenwich Council that they are a suitable person to hold a licence. In determining suitability, Greenwich Council will normally take into account:

- Previous knowledge and experience of the applicant;
- Any evidence of the operation of any existing/previous licence held by the applicant, including any licence held in any other local authority area;
- Any report about the applicant and management of the premises received from an objector or the Police, and any criminal convictions or cautions in connection with the applicant.

3.3 The above factors are not an exhaustive list of considerations but are merely indicative of the types of factors which Greenwich council may consider when dealing with an application.

## **4. Impact of the Sex Establishment**

4.1 Greenwich Council will assess the possible adverse impacts especially on local residents when considering an application for the grant, renewal, variation or transfer of licence, and will take into account the following:

- The type of activity to which the application relates;
- The duration of the proposed licence;
- The days and hours of operation of the activity;
- The layout and condition of the premises;
- The character of the locality in which the proposed premises are to be situated. (This will include the likely character of an area as a result of redevelopment of that area.)
- The use to which other premises in the vicinity are put;

4.2 The inside of sex establishments should not be visible to passers by on retail thoroughfares or pedestrian routes. Applicants should consider locating premises at basement level.

## **5. The Location of the Premises**

5.1 Greenwich Council recognises under The Act that it can set a quantity limit regarding the number of sex establishments in an area but has not chosen to do so based on the specific geographical characteristics and nature of the borough.

5.2 Whilst Greenwich Council has not imposed a limit on the number of premises that may be licensed in any area, it will consider each application on its own merits. However, Greenwich Council will not grant licences if it is inappropriate having regard to the character of the relevant locality and will have regard, for example, to the following:

- The proximity of residential accommodation;
- The proximity of places of worship, community facilities or public buildings;
- The proximity of schools or similar establishments;
- The proximity of tourist areas and 2012 venues.

5.3 Greenwich Council acknowledges that a concentration of licensed premises in a particular area can result in a potential for fear of crime, anti-social behaviour, noise pollution and other disturbance to residents. In such cases the amenity of local residents can be placed under severe pressure.

## 6. Making an Application.

- 6.1 An application for the grant, renewal, variation or transfer of a licence must be made in writing to the council in accordance with the requirements shown in Appendix B.
- 6.2 In order to avoid any duplication or inefficiency between the licensing and planning processes, Greenwich council will expect that, prior to the submission of a licensing application the appropriate planning permission will have been granted in respect of the premises concerned.
- 6.3 On receipt of a valid application Greenwich Council will consult the chief officer of police, ward councillors, the planning authority, the environmental health noise pollution officer, the fire brigade, child protection and interested parties in the vicinity of the premises in respect of an application for the grant, variation and renewal of a licence.
- 6.4 The Council will arrange for a letter drop to be distributed among residents and businesses in the vicinity of the applicant's premises informing them of the application and their right to make representations on the application.
- 6.5 In keeping with the Council's policy on the introduction of e-Government, the council consents to applications and other notices being given electronically. The address at which the council will accept applications and notices is:-
- by post/personal service to Greenwich Council Licensing Service, Riverside House Post room, Woolwich, London. SE18 6BU
  - by e-mail to [licensing@greenwich.gov.uk](mailto:licensing@greenwich.gov.uk);
  - by fax to 0208 921 8380;
  - On-line at [www.greenwich.gov.uk/licensing/sex](http://www.greenwich.gov.uk/licensing/sex).

The application form is available upon request or on our website at

[www.greenwich.gov.uk/Greenwich/Business/Licences/SexEstablishmentLicence.htm](http://www.greenwich.gov.uk/Greenwich/Business/Licences/SexEstablishmentLicence.htm)

## 7. Fees

- 7.1 The application process involves paying a non-returnable application fee which includes the cost of inspecting premises, processing the application and committee hearing.
- 7.2 A current list of all fees relating to the licensing of sex establishments is available upon request or on our website at:  
[www.greenwich.gov.uk/Greenwich/Business/Licences/SexEstablishmentLicence.htm](http://www.greenwich.gov.uk/Greenwich/Business/Licences/SexEstablishmentLicence.htm)

## 8. Objections

- 8.1 Any person wishing to object to an application must submit a written representation within 28 days following the date on which the application was given to Greenwich

Council, setting out the ground of objection. Objections are not considered relevant if they are based on moral grounds.

- 8.2 Greenwich Council will balance the interests of the applicant with those of the local community in reaching a decision on a licence application. Greenwich Council also has discretion to consider representations made after the 28 day consultation period although this will be assessed on a case by case basis.
- 8.3 Greenwich Council, before considering an application where there are relevant objections, will give notice in writing of the general terms of the objection to the applicant. Unless the person making a representation consents, their name and address shall not be revealed to the applicant.
- 8.4 The report to the relevant Greenwich Council Sub-Committee may have full details of the objections, including any action or undertakings proposed by the applicant to address matters raised.
- 8.5 Greenwich Council shall give an opportunity to the applicant of appearing before and of being heard by the Sub-Committee of the Council;
- Before refusing to grant a licence, to the applicant;
  - Before refusing to renew a licence, to the holder; and
  - Before refusing a variation of a licence; and
  - Before refusing to transfer a licence, to the holder and to the person to whom he desires that it shall be transferred.
- 8.6 Additionally, the applicant and any persons who made representation and who wish to attend the hearing will have the opportunity to address the Sub-Committee before the application is determined.

## **9. Determining applications**

- 9.1 All applications for the grant of new licences will be determined by the Licensing Sub Committee, irrespective of whether objections are received. At a Licensing Sub Committee hearing the applicants and any objectors will be given an opportunity to address the committee.
- 9.2 When considering applications, the council will have regard to:
- (a) the Local Government (Miscellaneous Provisions) Act 1982;
  - (b) any supporting regulations.
- 9.3 This does not, however, undermine the rights of any person to apply for a licence and have the application considered on its individual merits, nor does it override the



right of any person to make objections on any application where they are permitted to do so under the Act.

9.4 In all cases, Greenwich Council will consider each application on its own merit.

9.5 The Licensing Sub Committee will communicate their decision at the end of the hearing and all parties will receive written confirmation within 7 days.

## 10. Conditions

10.1 Greenwich Council recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to individual premises.

10.2 Examples of conditions that may be attached to a licence are shown in **Appendix C**.

## 11. Refusal of licences

11.1 Except where Greenwich Council is prohibited from granting, renewing, varying or transferring a licence, it will not refuse a licence without first: -

- Notifying the applicant or holder of the licence in writing of the reasons;
- Giving the applicant or holder of the licence the opportunity of appearing and making representations before the Licensing Sub Committee.

## 12. Revocation of licences

12.1 Greenwich Council may revoke a licence on any of the grounds contained within the Act which include (please note this list is not exhaustive):

- the licence holder being no longer being fit and proper
- Poor operation of the premises

12.2 Greenwich Council will not revoke a licence without first giving the holder of the licence the opportunity of appearing and making representations before the Licensing Sub-Committee.

## 13. Cancellation of licences

13.1 The licence-holder may surrender the licence at any time and may request Greenwich Council in writing to cancel the licence.

- 13.2 In the event of the death of a licence-holder, the licence will be deemed to have been granted to his personal representatives and will remain in force for 3 months from the date of death, unless previously revoked.
- 13.3 Where Greenwich Council are satisfied that it is necessary for the purpose of winding up the estate of the deceased licence-holder, it may extend or further extend the period in which the licence remains in force.

## 14. Appeals

- 14.1 Any applicant who is refused a licence, or refused the renewal of a licence may within 21 days of receiving the decision notice, appeal to the local magistrate.
- 14.2 However, the right to appeal does not apply where the licence was refused on the grounds that:
- the number of sex establishments in the area exceeds the number which the authority consider is appropriate;
  - the grant of the licence would be inappropriate considering the character of the area, the number of other premises in the area, or the premises themselves.
- 14.3 A licence holder who wishes to appeal against a condition can appeal to the magistrates' court.
- 14.4 Licence holders may at any time apply to Greenwich Council to vary their licence. If Greenwich Council refuses a variation, or if the licence is revoked, the licence holder may, within 21 days after receiving the decision notice, appeal to the magistrates' court.
- 14.5 The licence holder also has rights of appeal to the crown court against any magistrates' court decision.

## 15. Complaints

- 15.1 Where possible and appropriate Greenwich Council will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.

## 16. Enforcement

- 16.1 An ongoing risk based enforcement programme is in place to ensure that Greenwich Council respond to complaints of non-compliance with licence conditions and we concentrate on areas where licensed premises are perceived to be contributing to anti social behaviour. Greenwich Council is responsible for the administration and

enforcement of the licensing regime and will have regard to the Quality Standards Enforcement Concordat. Greenwich Council will carry out its regulatory functions in a fair, open and consistent manner.

16.2 Specifically, Greenwich Council is committed to:

- a) be proportionate – to only intervene when necessary and remedies will be appropriate to the risk posed;
- b) be accountable – to justify decisions, be subject to public scrutiny and allow opportunities to resolve differences before enforcement action is taken, unless immediate action is needed;
- c) be consistent – to implement rules and standards fairly;
- d) be transparent – to be open and to provide clear explanations of what is needed, by when and the rights of appeal.
- e) target its regulatory action at cases in which action is needed.

16.3 Greenwich Council recognises the interests of both citizens and businesses and will work closely, with partners, to assist licence holders to comply with the law and the conditions attached to the licence.

16.4 However, proportionate but firm action will be taken against those who commit offences or consistently break the law or breach the conditions of the licence.

16.5 Greenwich Council has set clear standards of service and performance that the public and businesses can expect. In particular, an enforcement policy has been created that explains how Greenwich Council will undertake its role and how the principles of effective enforcement will be achieved.

16.6 This policy is freely available from the licensing section, as are details of the corporate complaints procedures, both of which can also be viewed on the Greenwich Council website: [www.greenwich.gov.uk](http://www.greenwich.gov.uk).

## Appendix A – Definition of Terms

### • Definition of a “Sex Establishment”

A Sex Establishment is defined under the Act as a ‘Sex Shop’, a ‘Sex Cinema’ or a ‘Sexual Entertainment Venue’.

It includes any premises, vehicle, vessel or stall used as a sex establishment but does not include a private dwelling to which the public are not admitted.

### • Meaning of a ‘Sex Cinema’

‘Sex Cinema’ means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving picture, by whatever means produced, which:

- a) Are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to simulate or encourage:
  - (i) Sexual activity; or
  - (ii) Acts of force or restraint which is associated with sexual activity.
- b) Are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions, but does not include a dwelling-house to which the public is not admitted.

### • Meaning of ‘Sex Shop’

‘Sex Shop’ means 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, sexual activity.

‘Sex Article’ means anything made 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
- (iii) Anything to which the sub paragraph below applies.

This sub paragraph applies-

- (a) to any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for reproduction or manufacture of any such article; and

- (b) to any recording of vision or sound, which:
  - (i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to simulate or encourage, sexual activity or act of force or restraint which are associated with sexual activity;
  - (ii) is concerned primarily with the portrayal of, or primarily deals with or relates to genital organs or urinary or excretory functions.

- **Sex Articles and Significant Degree**

Licences for sex shops are required where 18R films are being sold, or where there is a “significant degree” of “sex articles”.

The phrase ‘sex articles’ is defined in the 1982 Act, (as above) but the phrase ‘a significant degree’ is not. When considering whether or not a business is selling a significant degree of sex articles and needs a licence, we will consider:

- a) the ratio of sex articles to another aspects of the business;
- b) the absolute quantity of sales;
- c) the character of the remainder of the business;
- d) the nature of the displays in the business;
- e) turnover;
- f) other factors which appear to be materially relevant.

- **Meaning of a ‘Sexual Entertainment Venue’**

A ‘sexual entertainment venue’ means:

“any premises at which relevant entertainment is provided before a live audience for financial gain of an organizer. For the purposes of the Act it does not matter whether the financial gain arises directly or indirectly from the performance or display or nudity.”

- **‘Relevant entertainment’** means:

- (a) Any live performance;
- (b) Any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonable be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other mans). An audience includes an audience or one.

- **A ‘display of nudity’** means:

- (a) in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and
- (b) in the case of a man, exposure of his pubic area, genitals or anus.

- **An organiser** means:

Any person who is responsible for the organization or management of:

- (a) The relevant entertainment; or
- (b) The premises.

- **Exempt Premises**

Notwithstanding the above, the following are not sexual entertainment venues for the purposes of this guidance:

- (a) Sex cinemas or shops;
- (b) Premises at which the provision of relevant entertainment is such that;
  - (i) there have not been more than eleven occasions on which relevant entertainment has been so provided which fall (wholly or partly) within the periods of 12 months;
  - (ii) no occasion has lasted for more than 24 hours; and
  - (iii) no occasion has begun with the periods of one month beginning with the end of any previous occasion on which relevant entertainment has been so provided.

For the purposes of this guidance, relevant entertainment is provided if, and only if, it is provided, or permitted to be provided , by or on behalf of the organizer before an audience and involves partial or full nudity.

## Appendix B – Application Requirements

### **Applying For Grant, Variation, Renewal or Transfer of a Sex Establishment Licence**

#### Grant of a licence

- I. To apply for the grant of a sex establishment licence an applicant must: -
  - a. send the council 5 copies of the following documentation: -
    - i) a completed application form;
    - ii) a plan to a stated scale of the premises to which the application relates;
    - iii) a non-returnable application fee;
  - b. display a notice on or near the premises;
  - c. advertise the application in a local newspaper;

#### Plan requirements

2. The plan shall show: -
  - a. the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
  - b. the location of points of access to and egress from the premises;
  - c. the location of escape routes from the premises;
  - d. in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
  - e. fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
  - f. in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
  - g. in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
  - h. in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
  - i. the location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and
  - j. the location of a kitchen, if any, on the premises.

#### Public notices

3. A notice must be displayed at or on the premises to which the application relates for a period of not less than 21 consecutive days from the day following the day the application was given to the council, where it can be conveniently read from the exterior of the premises.

4. Where the premises cover an area of more than 50 square meters, a further identical notice must be displayed every 50 metres along the external perimeter of the premises abutting any highway.
5. The notice must be on pale blue paper sized A4 or larger and printed legibly in black ink or typed in black in a font size equal to or larger than 16.
6. The notice must state: -
  - a. details of the application and proposed activities,
  - b. the full name of the applicant,
  - c. the postal address of the premises, or in the case where there is no postal address, a description of the premises sufficient to enable the location and extent of the premises to be identified,
  - d. the date, being 28 days after that on which the application is given to the council, by which representations may be made to the council and that representations should be made in writing,
  - e. that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine (£5000) for which a person is liable on summary conviction for the offence.
7. A similar notice must be published in a local newspaper or similar document within 7 days of giving the application to the council.

#### Variation of a licence

8. The holder of a licence may apply at any time for any variation of the terms, conditions or restrictions on or subject to which the licence is held.
9. The process of applying for a variation is the same as that for applying for an initial grant except that a plan of the premises is not required unless the application involves structural alterations to the premises.

#### Renewal of a licence

10. The holder of a licence may apply for renewal of the licence. In order for the licence to continue to have effect during the renewal process, a valid application together with the appropriate fee must be submitted before the current licence expires.
11. The process of applying for renewal of a licence is the same as that for applying for an initial grant except that a plan of the premises is not required.

#### Transfer of a licence

12. A person may apply for transfer of a licence at any time.
13. The process of applying for transfer of a licence is the same as that for applying for an initial grant except that a plan of the premises is not required and only the police are consulted.



## Appendix C – Pool of Standard Conditions

### **Standard Conditions**

These conditions may be dispensed with, added to or modified by the Greenwich Council.

Where, in these conditions, there is a reference to the consent of the council being required, the consent may include terms, conditions and restrictions as appropriate.

### **Sexual Entertainment Venues**

#### General

1. Unless stated elsewhere, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the Greenwich Council
2. The licence may be revoked by Greenwich Council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended).
3. The licensee will provide (subject to the approval of both the police and the licensing authority), a code of conduct for entertainers and rules of conduct for customers.
4. The licensee will ensure entertainers have secure dressing rooms and proper sanitation facilities available to them.
5. Suitable and sufficient training is to be provided to all staff including the licensee. The training of all staff is to be recorded and these documents to be made available upon request to both the police and authorised officers.
6. The name of the premises will be approved by Greenwich Council in writing. Any change to the name of the premises must be approved by Greenwich Council in writing.
7. All rules (customer conduct, code of conduct for entertainers, dispersal policies etc) to be prominently displayed on the premises.
8. Price lists will be clearly displayed at each table and at each entrance to the premises.

#### Exhibition of licence

9. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the Council.

### Hours of opening

10. The premises will only be open to the public during the following hours:
  - ❖ Monday to Saturday from 0900 hours to 2100 hours.
  - ❖ The premises shall not open on Sundays, Christmas Day or Good Friday.
11. The licensed premises will be closed in accordance with planning permission and Sunday trading legislation. In the event of there being a conflict between the general law and opening times specified on the licence, the general law will prevail.

### Conduct on the premises

12. The licensee, or any other person concerned in the conduct or management of the premises, will not seek to obtain custom by means of personal solicitation or touting from the premises.
13. Entertainers will be aged no less than 18 years.
14. Entertainers will only perform on the stage area, to seated and segregated customers or in such other areas of the licensed premises as may be agreed with the licensing authority.
15. Relevant entertainment will only be performed by the entertainer. There must be no audience participation.
16. There must be no physical contact between entertainers.
17. There must be no physical contact between entertainers and customers before during and after the performance, other than the transfer of money or tokens to the hand of the entertainer at the beginning or conclusion of the performance. Notices to this effect will be clearly displayed at each table and at each entrance to the premises.
18. Whilst entertainers are performing there will be a minimum distance of one metre between the entertainer and the audience.
19. Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation.
20. Sex toys must not be used and penetration of the genital area by any means must not take place.
21. Customers will not be permitted to throw money at the entertainers.
22. The taking of photographs (and visual film footage) is not permitted on the premises during operating hours.

### External appearance

23. There will be a notice displayed on each entrance or doorway to the premises which states the following:

**STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE**  
**THIS PREMISES OPERATES A CHALLENGE 25 POLICY**  
**PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW**  
**PROOF OF AGE**

24. The external appearance of the premises will be approved by Greenwich Council in writing.
25. Any change to the external appearance of the premises must be approved by Greenwich Council. The operator must advise of any change in writing including a drawing of the existing and proposed street elevation. This must be approved by Greenwich Council before work is undertaken
26. The frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the doors of the licensed premises is open.

Advertising

27. Any written or visual advertisement material, poster, signage or window display must not be of a sexually explicit or suggestive nature and must be approved by Greenwich Council in writing.
28. Leafleting/flyers are not permitted on the highway.

Layout of premises

29. No access will be permitted through the premises to any other adjoining or adjacent premise except in the case of an emergency.
30. No alterations (including temporary alteration) will be made to the structure and installations on the premises, without the prior written consent of Greenwich Council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from Greenwich Council.

Management of the premises

31. The licensee, or a responsible person nominated by him for the purpose of managing the venue (“the manager”) will have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such nomination will be produced on demand to an authorised officer of Greenwich Council or the police.
32. The licensee will ensure that any person nominated by him under the above:
  - ❖ Has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and

- ❖ Is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
33. The name of the person responsible for the management of the premises, whether the licensee or manager, will be displayed in a conspicuous position within the premises throughout the periods during which he is responsible for the conduct of the premises.
  34. Where the licensee is a body corporate, or an incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to Greenwich Council within 14 days of such a change. Such details furnished within 14 days of a request in writing from Greenwich Council.
  35. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises.
  36. The licensee will ensure that the public is not admitted to any part or parts of the premises that has not been approved by Greenwich Council.
  37. No persons under the age of 18 will be admitted to the premises
  38. The licensee will operate a Challenge 25 age verification policy. People under the age of 25 will be required to show proof of ID. A notice to this effect, in accordance with condition 23 will be displayed on the premises.
  39. The licence holder will not employ any person under the age of 18 in any capacity.
  40. The management will maintain a register which details any fines imposed on entertainers which will include the date, type of fines and amount fined.
  41. The licensee will install a CCTV system of Data Protection standard BSEN50132-7 capable of facial image recognition of all persons both entering and leaving and covering all public areas, excluding toilets. This system will be linked to date and time recording facility. This CCTV system will be maintained in good working order and will operate at all times when the premises are open. Recordings shall be maintained for a period of at least 31 days and made available to police and authorised council officers on request.
  42. At all times that the premises are open to the public there will be a member of staff on duty who is conversant with operating the CCTV system and who is able to download immediately any footage requested by an officer from Greenwich Council or the police.
  43. Suitable numbers of SIA registered door staff (numbers to be subject to police and Greenwich Council approval) will be present on the premises during the performance of relevant entertainment.

### Dancer's welfare

44. All premises that provide relevant entertainment will be expected to provide new dancers with a pack of information. This pack will include:
- ❖ A copy of the Sex Establishment Licence, including the conditions applied by the Licensing Committee.
  - ❖ Details of any other conditions applied by management of the premises.
  - ❖ Details of how to report crime to the relevant authority.
  - ❖ Details of insurance (public liability/personal)
  - ❖ Details of unions, trade organisations or other bodies that represent the interests of dancers.
  - ❖ A copy of the code of practice for employees.
  - ❖ A code of practice for customers.
  - ❖ Pricing policy.
45. The use of private booths (for example, small enclosed areas where a customer can receive a private dance) is prohibited.
46. Entertainers not performing must not be present in the licensed area in a state of nudity.
47. Any person on the premises who can be observed from outside the premises will be properly and decently dressed.

### Vessels, stall and vehicles

48. Any vehicle used to advertise the premises must comply with the advertising conditions. All forms of advertising on vehicles must be approved by Greenwich Council.
49. Vehicles used to transport customers to or from the premises may require the relevant licences from The Public Carriage Office. Any such licence must be produced prior to a sexual entertainment venue licence being issued or renewed.

### Variation of conditions

50. Greenwich Council may at any time waive, modify or vary these conditions or impose additional conditions in any particular case as it thinks fit.
51. The licensee may apply to Greenwich Council to vary any of the terms of the licence.
52. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

### Change of licensee name

53. An application in respect of a change of licensee name will be made to Greenwich Council in writing with an enclosed the fee, not less than 28 days prior to the proposed change and Greenwich Council will have an absolute and unfettered discretion to permit or refuse such a change.

## **Sex Shops**

### General

1. Unless stated elsewhere, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by Greenwich Council.
2. The licence may be revoked by Greenwich Council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restriction of the licence or is convicted of any offence under any enactment defined in paragraph 1 of schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended).

### Exhibition of licence

3. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, and the fire authority and authorised officers of the Council. A copy of the conditions attached to the licence will be kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

### Hours of opening

4. The premises will only be open to the public during the following hours:
  - a. Monday to Saturday from 0900 hours to 2100 hours.
  - b. The premises shall not open on Sundays, Christmas Day or Good Friday.
5. The licensed premises will be closed in accordance with planning permission and Sunday trading legislation. In the event of there being a conflict between the general law and opening times specified on the licence, the general law will prevail.

### Conduct on the premises

6. The licensee, or any other person concerned in the conduct of management of the premises, will not seek to obtain custom by means of personal solicitation or touting from the premises.
7. Persons under 18 years of age will be prohibited from the licensed premises.

### External appearance

8. There will be a notice displayed on each entrance or doorway to the premises which states the following:

**STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE**  
**THIS PREMISES OPERATES A CHALLENGE 25 POLICY**  
**PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW**  
**PROOF OF AGE**

9. The external appearance of the premises will be approved by Greenwich Council in writing.
10. Any change to the external appearance of the premises must be approved by Greenwich Council. The operator must advise of any change in writing including a drawing of the existing and proposed street elevation. This must be approved by Greenwich Council before work is undertaken.
11. The shop frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the door or doors of the licensed premises is open.
12. There will be no illuminated or protruding signs fixed to the premises and no signs placed outside the premises.

Advertising

13. Any written or visual advertisement material, poster, signage or window display must not be of a sexually explicit or suggestive nature and must be approved by Greenwich Council in writing.
14. Leafleting/flyers are not permitted on the highway.

Layout of premises

15. No access will be permitted through the premises to any other adjoining or adjacent premise except in the case of an emergency.
16. No alterations (including temporary alteration) will be made to the structure and installations on the premises, without the prior written consent of Greenwich Council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from Greenwich Council.

Management of the premises

17. The licensee, or a responsible person nominated by him for the purpose of managing the venue (“the manager”) will have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such

nomination will be produced on demand to an authorised officer of Greenwich Council or the police.

18. The licensee will ensure that any person nominated by him under the above:
  - a. Has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
  - b. Is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
19. Where the licensee is a body corporate, or an incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to Greenwich Council within 14 days of such a change. Such details furnished within 14 days of a request in writing from Greenwich Council.
20. The holder of the licence will keep a record of all employees who are asked to work on the premises which will include their full name, date of birth, current and previous address and any convictions recorded against that person (subject to the Rehabilitation of Offenders Act 1984).
21. An authorised and certified copy of the full personal record or a record of an individual will be produced on demand to an authorised officer of the council or the police.
22. The licensee will operate a Challenge 25 age verification policy. People under the age of 25 will be required to show proof of ID. A notice to this effect, in accordance with condition 23 will be displayed on the premises.
23. No persons under the age of 18 will be admitted to the premises
24. The licence holder will not employ any person under the age of 18 in any capacity.
25. The licensee will install a CCTV system covering all public areas, excluding toilets. This system will be linked to date and time recording facility and the system will provide a high standard recording. This CCTV system will be maintained in good working order and will operate at all times when the premises are open.
26. At all times that the premises are open to the public there will be a member of staff on duty who is conversant with operating the CCTV system and who is able to download immediately any footage requested by an officer from Greenwich Council or the police.
27. A CCTV system of Data Protection standard BSEN50132-7 shall be installed and be capable of facial image recognition of all persons both entering and leaving the premises. Recordings shall be maintained for a period of at least 31 days and made available to Police and authorised Council officers on request.



28. Staff on duty shall be fully trained and made responsible for the maintenance of the CCTV equipment whilst on duty.

#### Video recordings

29. No moving picture will be provided on display at the licensed premises unless it is that of advertising video on a loop system or allowing a prospective purchase a short preview of films upon request, being no longer than 3 minutes in length.
30. Items sold, supplied for hire, exchange or used in any promotion/advertising must not contravene any current legislation i.e. Section 12 of the Video Recordings Act, (as amended).

#### Variation of conditions

31. Greenwich Council may at any time waive, modify or vary these conditions or impose additional conditions in any particular case as it thinks fit.
32. The licensee may apply to Greenwich Council to vary any of the terms of the licence.
33. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

#### Change of licensee name

34. An application in respect of a change of licensee name will be made to Greenwich Council in writing with an enclosed the fee, not less than 28 days prior to the proposed change and Greenwich Council will have an absolute and unfettered discretion to permit or refuse such a change.

## **Sex Cinemas**

### General

1. Unless stated elsewhere, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by Greenwich Council.
2. The licence may be revoked by Greenwich Council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restriction of the licence or is convicted of any offence under any enactment defined in paragraph 1 of schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended).

#### Exhibition of licence

3. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, and the fire authority and authorised officers of the Council. A copy of the conditions attached to the licence will be kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

#### Hours of opening

4. The premises will only be open to the public during the following hours:
  - a. Monday to Saturday from 0900 hours to 2100 hours.
  - b. The premises shall not open on Sundays, Christmas Day or Good Friday.
5. The licensed premises will be closed in accordance with planning permission and Sunday trading legislation. In the event of there being a conflict between the general law and opening times specified on the licence, the general law will prevail.

#### Conduct on the premises

6. The licensee, or any other person concerned in the conduct of management of the premises, will not seek to obtain custom by means of personal solicitation or touting from the premises.
7. Persons under 18 years of age will be prohibited from the licensed premises.

#### External appearance

8. There will be a notice displayed on each entrance or doorway to the premises which states the following:

**STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE**  
**THIS PREMISES OPERATES A CHALLENGE 25 POLICY**  
**PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW**  
**PROOF OF AGE**

9. No other words or signs or any displays of advertisements, other than the name of the premises, will be displayed on the outside or in the vicinity of the premises except those mentioned in condition 9 above or otherwise approved by Greenwich Council in writing.
10. Any written or visual advertising material, posters, signage, window display at or for the premises must not be of a sexually explicit or suggestive nature and must be approved by Greenwich Council.
11. The shop frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the door or doors of the licensed premises is open.

12. There will be no illuminated or protruding signs fixed to the premises and no signs placed outside the premises.

#### State, conditions and layout of premises

13. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
14. No alterations (including temporary alterations) will be made to the structure and installations on the premises without the prior written consent of Greenwich Council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from Greenwich Council.

#### Management of the premises

15. The licensee, or a responsible person nominated by him for the purpose of managing the venue (“the manager”) will have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such nomination will be produced on demand to an authorised officer of Greenwich Council or the police.
16. The licensee will ensure that any person nominated by him under the above:
  - a. Has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
  - b. Is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
17. Where the licensee is a body corporate, or an incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to Greenwich Council within 14 days of such a change. Such details furnished within 14 days of a request in writing from Greenwich Council.
18. The holder of the licence will keep a record of all employees who are asked to work on the premises which will include their full name, date of birth, current and previous address and any convictions recorded against that person (subject to the Rehabilitation of Offenders Act 1984).
19. An authorised and certified copy of the full personal record or a record of an individual will be produced on demand to an authorised officer of the council or the police.
20. The licensee will operate a Challenge 25 age verification policy. People under the age of 25 will be required to show proof of ID. A notice to this effect, in accordance with conditions 23 will be displayed on the premises.
21. No persons under the age of 18 will be admitted to the premises

22. The licence holder will not employ any person under the age of 18 in any capacity.
23. A CCTV system of Data Protection standard BSEN50132-7 shall be installed and be capable of facial image recognition of all persons both entering and leaving the premises. Recordings shall be maintained for a period of at least 31 days and made available to Police and authorised Council officers on request.
24. Staff on duty shall be fully trained and made responsible for the maintenance of the CCTV equipment whilst on duty.

#### Variation of conditions

25. Greenwich Council may at any time waive, modify or vary these conditions or impose additional conditions in a particular case as it thinks fit.
26. The licensee may apply to Greenwich Council to vary any of the terms of the licence.
27. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

#### Change of licensee name

28. An application in respect of a change of licensee name will be made to Greenwich Council in writing not less than 28 days prior to the proposed change and Greenwich Council will have an absolute and unfettered discretion to permit or refuse such a change.