BIRMINGHAM CITY COUNCIL

REPORT OF THE ASSISTANT DIRECTOR OF REGULATION & ENFORCEMENT TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE

10 JULY 2019 LADYWOOD

CONTROL OF SEX ESTABLISHMENTS

APPLICATIONS TO TRANFER EXISTING SEXUAL ENTERTAINMENT VENUE (SEV), SEX SHOP & SEX CINEMA LICENCES GRANTED IN RESPECT OF:

ADULTWORLD, 1 HINCKLEY STREET, BIRMINGHAM B5 4EB

- 1. <u>Summary</u>
- 1.1 Birmingham City Council's Sexual Entertainment Venue Policy became effective from 1st November 2014.
- 1.2 Applications have been received which seek to transfer the Sexual Entertainment Venue (SEV), Sex Shop and Sex Cinema licences granted to Sunset Novelties Limited to Coventry Road Lingerie Limited in respect of premises known as AdultWorld, 1 Hinckley Street, Birmingham B5 4EB. Officers do not have delegated authority to approve the transfer applications which must be determined by the Committee in accordance with the current scheme of delegations.
- 1.3 Simultaneous applications have also been submitted for the renewal of the Sex Shop and Sex Cinema licences. In the absence of any observations or objections, and or any reason to refuse the renewal in accordance with Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 officers have delegated authority to renew those licences.
- 1.4 There are no objections to either the transfer or renewal applications.
- 1.5 Subject to the Committee approving all three transfer applications the Sex Shop and Sex Cinema licences will be renewed by officers under delegated authority.
- 1.6 At the time of writing this report an application to renew the existing Sexual Entertainment Venue licence had not been submitted as the licence is not due to expire until 22 July 2019.

- 1.7 In respect of the SEV transfer application officers can confirm that there are currently 7 SEV venues licensed to operating within Birmingham 6 of which, including this premises, are located within the area bounded by the ring road (A4540).
- 1.8 As stated in Birmingham City Council's SEV Policy the Council considers that the part of the City which falls within the ring road (A4540) is an area which is appropriate to have an upper limit guide on the number of SEV's the appropriate upper limit being eight.

2. Recommendations

2.1 That Committee consider and determine the applications for the transfer of the Sexual Entertainment Venue, Sex Shop and Sex Cinema licences granted in respect of AdultWorld, 1 Hinckley Street, Birmingham B5 4EB from Sunset Novelties Limited to Coventry Road Lingerie Limited having regard to the options available to Committee detailed at paragraph 6.1 of this report.

Contact Officer: Emma Rohomon, Head of Licensing (Acting)

Telephone: 0121 303 9780

E-mail: emma.rohomon@birmingham.gov.uk

Originating Officer: David Kennedy, Principal Licensing Officer

3. Background

- 3.1 Applications have been received from Coventry Road Lingerie Limited for the transfer of the Sexual Entertainment Venue, Sex Shop and Sex Cinema Licences granted in respect of the premises known as AdultWorld, 1 Hinckley Street, Birmingham B5 4EB. Copies of the transfer applications are attached at Appendices 1 to 3.
- 3.2 The applicant has confirmed that they are not seeking to change the current operating hours, the external scheme, the nature of the entertainment being provided or the conditions of licence subject to which the existing licences are currently granted.

4. Consultation

- 4.1 The applicant was required to advertise details of the applications in a local newspaper, post a notice outside of the premises for a period of 21 days and serve a copy of each application to the Chief Officer of Police.
- 4.2 In addition upon receipt of applications of this nature the Licensing Section consults with the relevant Local Policing Unit, the Licensing Enforcement Team and also notifies the appropriate Ward Councillors.
- 4.3 West Midlands Police and Birmingham City Councils Licensing Enforcement Team have not objected to the transfer of the licences.
- 4.4 Copies of the Council approved standard conditions for Sexual Entertainment Venue, Sex Shop and Sex Cinema licences are attached at Appendices 4 6.
- 4.5 Location plans, of the premises are attached as Appendix 7.
- 4.6 The applicant has been invited to attend the hearing in support of their applications.

5. <u>Matters for Consideration</u>

- 5.1 When considering applications for the transfer of such licences, the Committee should have regard to any observations submitted to it by the Chief Officer of Police and any objections that the Licensing Authority has received from anyone else within 28 days of the date of the application.
- 5.2 Subject to any new information produced at the hearing it does not appear that any of the mandatory grounds of refusal apply to the applications currently due for consideration. For example, a licence shall not be granted to a person who is under the age of 18 or who has had a previous application for the same premises refused within the last 12 months.
- 5.3 The only discretionary grounds upon which the Council may refuse an application are those grounds specified in Schedule 3 paragraph 12(3) of the Local Government (Miscellaneous Provisions) Act 1982 as amended:
 - a) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or any other reason;
 - b) that if the licence were to be granted, renewed or transferred 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 of such a licence 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 made 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.
- 5.4 It should be noted that the applicant being Coventry Road Lingerie Limited already hold a Sex Shop Licence in respect of another premises trading as AdultWorld.co.uk, 1014 Coventry Road, South Yardley, Birmingham B25 8DP

6. Options Available

6.1 The Committee may:

- 6.1.1 Grant the applications as they stand in which case the licences will be transferred subject to the Council approved Standard Conditions.
- 6.1.2 Grant the applications as they stand subject to the Council approved Standard Conditions unless they have been expressly excluded or varied and/or other Specific Conditions or restrictions that the Committee deem reasonable, necessary proportionate and justifiable.
- 6.1.3 Refuse the applications on one or more of the grounds as outlined in paragraph 5.3 above.

7. Right of Appeal

- 7.1 An applicant has a right of appeal to the Magistrates Court against decisions to refuse to grant, renew, vary or transfer a licence, the imposition of conditions or the revocation of an existing licence.
- 7.2 It should be noted that although no right of appeal lies against a decision made on the discretionary grounds set out in paragraphs 5.3(c & d) above, the applicant could challenge a refusal on the aforementioned grounds by way of a judicial review.

8. Implications for Resources

- 8.1 A fee of £1,688 is payable for transfer of the Sexual Entertainment Venue licence, A fee of £2,312.25 each is payable for the transfer of the Sex Shop and Sex Cinema licences. If the applications are subsequently refused then 50% of the relevant fees will be refundable.
- 8.2 In the event of an appeal hearing, the Magistrates power to award costs derives from Section 64 of the Magistrates Courts Act 1980 which entitles them to make such order as they think just and reasonable.

9. Implications for Policy Priorities

9.1 The applications which are the subject of this report should be considered in accordance with the published Birmingham City Council Sexual Entertainment Venue Policy.

Public Sector Equality Duty

10.1 No specific implications have been identified.

ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

SEV.

SEX ENT 1.5

Fair Processing Statement – Any personal data held by Birmingham City Council in relation to your application for a Licence to use a premises, vehicle, vessel or stall as a Sexual Entertainment Venue, will be held in full compliance with the legal obligations as set out in the Data Protection Act 1998. This is in accordance with the Council's Privacy Policy; a copy is available on the Council's website: www.birmingham.gov.uk/privacy. To protect the public fund we may also use the information you have provided on this form to prevent and detect fraud. We may share this information for the same purposes with other Council Departments and organisations for example, other councils and the police.

BIRMINGHAM CITY COUNCIL

SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Application for a Licence to use any Premises, Vehicle, Vessel or Stall as a Sexual Entertainment Venue

All questions must be answered, save where otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and will be returned to the applicant.

anonorou, aro approation initi de decinea mot	imprete and will be returned to the applicant.
<u>Section 1</u> Application details:	
Is this licence for the: Grant □ Renewal □	□ Transfer №
a company or other corporate body ☑	Partnership or other unincorporated body BCC REGULATION & ENFORCEMENT LICENSING SECTION
Section 2	DATE RECEIVED
Answer only if Applicant is an individual	0.4.100
What is the full name of the individual?	0 1 APR 2019
Permanent Residential Address	
Any former names	
Date of Birth	Place of Birth
Date Became Resident in the UK	or E.U Member State
National Insurance Number or E.U Member Stat	e Equivalent.
Telephone Number (during normal office hours)	
Email Address:	
Name and address to which correspondence to	be sent (if different from above)
Has the applicant a financial interest in the busin Yes □ No □ If "yes" to what extent	ess which is the subject of this application?
Is the whole business owned by the applicant?	Yes ☐ No ☐

at are the names o	f the applicant's	partners? Please complete the t	able below:
lame (in full): Ir/Mrs/Miss/Other	Date of Birth	Address of permanent residence Throughout six months immediately preceding this application	Date became resident of United Kingdom or other E.U member state
		-	
		management of the Applicant of	

Please confirm if the whole of the business is owned by the applicant? Yes

No

No

Section 4.

Answer only where the applicant is a company or other corporate body

What is the name of the Applicant? COVENTRY ROAD LINGERIE LTD
Has the Applicant previously been known by any other name and if so what name?
NO
If the Applicant is a company, what type of company is it (e.g., public or private, limited by share or guarantee, etc.)?
What is the registered number of the Applicant
What is the registered office address? 8 ASTHILL CROPT, STYDECHALE
COUENTRY, CUZ 6HL
In which country is the company incorporated? (ENELAND) What is the date of incorporation of the company? (4 4 2013)
Please complete the table in respect of each of the Directors, the Company Secretary or other persons responsible for the management of the body.
Name (in full): Mr/Mrs/Miss/Other Date of Birth Address of permanent residence throughout six months immediately preceding this application Date became resident of United Kingdom or other E.U member
RYAN MCNOLTY

SEX ENT 1.5

Section 6

Premises details:
Is this application in respect of: Premises ☑ Vehicle ☐ Vessel ☐ Stall☐
Is the premises, vehicle, vessel or stall in use for sexual entertainment at the date of this application? Yes \square No \square
If the answer is yes, state the name and address of the person or body currently operating the business
What is full address of the premises for which a licence is sought?
1 HINCKLEY STREET, BIRMINGHAM, BS 4EB
If the application is in respect of a vehicle, vessel or stall, please state where it is to be used as a
sexual entertainment venue.
NIA
Under what name is, or will the premises be known? A P いして いつれょり
Is the whole of the premises to be used under the licence? Yes ☑ No ☐
If no, please state: a) which part of the premises is to be used for the purposes of the licence
b) the use to which the remainder of the premises are to be put
c) the names of those responsible for the management of the remainder of the premises
If the Applicant's interest in the premises is a leasehold one, please state:
a) Head-lease ☑ Sub-lease □
b) the name and address of the landlord and of the superior landlord where applicable D12, 1 COLMORE SQUARE, BIRMINGHAM, B4 6 AJ/ AGENTS FOR THE HOWARD UYSE TRUST
LIEGES APPREN
c) the length of the unexpired term

Section 7.

Proposed operation times and activities

<u>Day</u>	<u>Start</u>	<u>Finish</u>	State any seasonal variations or non standard timings where you intend to use the Premises, which are
Monday	9.30pm	10.00pm	different to those listed in the column on the left.
Tuesday	9.30AM		
Vednesday	9.70am		
hursday	9.30 AM		
riday		10.00pm	
aturday			
Sunday	11 DOV	10.00pm	
· ·	11.001606	4.copm	
1AP-DAN	CINE, POI	LE - PAN	CINE, STACE STRIP SHOW
			CINE, STACE STRIP SHOW int involves full nudity Yes □ No
ease confirm i			
ease confirm i	f the relevant e	entertainmer	
ease confirm i	f the relevant e	entertainmer	nt involves full nudity ☑ Yes □ No
ease confirm in ection 8.	f the relevant on the tree for the Tremises Lice	entertainmer	nt involves full nudity ☑ Yes ☐ No
ease confirm in ection 8. the application of current	f the relevant on the tree for the Tremises Lice	entertainmer	nt involves full nudity ☑ Yes □ No
ease confirm in the ction 8. The application in the	f the relevant on the tree for the Tremises Lice	entertainmer ansfer of a nce Holder	nt involves full nudity ☑ Yes ☐ No Premises Licence

_	4.5		^
× 2	ecti	nn	·u
v		vii	

Has the Applicant or any persons named in this form been convicted of a criminal offence whether in the UK or elsewhere? Yes \hdots No $\normalfont{\not}$

If so, please give details of unspent convictions below:

Convictions:

Forenames	Surname	Former Name (if any)	Court	Date	Offence	Penalty or Sentence

Has the Applicant or any persons named in this form been cautioned whether in the UK or elsewhere ? Yes \square No ${\rm I\!\!\! Z}$

If so, please give details below:

Cautions:

Forenames	Surname	Former Name (if any)	Offence	Date of Caution	Where caution administered
					The state of the s
		.			

SEX ENT 1.5

Has any person or the corporate or unincorporated body referred to in this application: -

een the holder of a sex establishment licence w as been revoked?	e NO	NO	
een associated in any way with any other applic stablishment licence?	765		
'Yes' to any of the above please provide details	:		
CURRENT LICENCE HOLDER	. OF COVE	entry Road	
	. OF COVE	entry Road	

If yes, state which information and the reasons why you would not wish it to be seen
APPLICANT'S HOME ADDRESS
Is there any further information which the Applicant would wish the Council to take into account when considering this application?

(If necessary, please continue on a separate sheet)

SEX ENT 1.5

Please read the checklist below and tick to confirm you have enclosed all of the required information/documents;
I have made or enclosed payment of the fee Please check the following link for details of the cost of your application: http://www.birmingham.gov.uk/licensingfeesandcharges
I have enclosed a plan showing the interior layout of the premises and where relevant entertainment will take place for consideration by the Licensing Authority
I have enclosed a copy of the "club rules". Such club rules must contain the required conduct of performers which shall include for example, no sex acts, no giving or taking phone numbers (including exchange of business cards).
I have enclosed a scheme showing the exterior design for consideration by the Licensing Authority
I understand and agree that I must send a copy of my completed application to the Chief Officer of Police no later than seven days after the date of the application. I also understand that I must produce evidence of due service of the Notice of Application upon the Chief Officer of Police as required by paragraph 10(14) of the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
I understand that I must now advertise my application on or near the Premises for 21 days starting with the date of the application.
I understand that I must advertise the application in a local newspaper within seven days after the date of the application and that a copy of the notice of application which has been published must be given to the Licensing Authority in accordance with paragraph 10 (8) of the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
DECLARATION: I declare that the details in this application are true to the best of my knowledge and belief and acknowledge that if there are any omissions or incorrect statements of a serious nature this may result in the application being refused. I further declare that I have read and agree to abide by the conditions of Licence for a Sexual Entertainment Venue made by Birmingham City Council in accordance with Section 2 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 should my application be granted.
APPLICANTS ARE INFORMED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT, RENEWAL OR TRANSFER OF A LICENCE, MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE, ON SUMMARY CONVICTION, TO A FINE NOT EXCEEDING £20,000.
Signature
Name of Signatory RYAN MCNULTY
Designation of Signatory DIRECTOR
Date

SHOP

SEX 1.22

Fair Processing Statement – Any personal data held by Birmingham City Council in relation to your application for a Licence to use a premises, vehicle, vessel or stall as a Sex Establishment, will be held in full compliance with the legal obligations as set out in the Data Protection Act 1998. This is in accordance with the Council's Privacy Policy; a copy is available on the Council's website: www.birmingham.gov.uk/privacy. To protect the public fund we may also use the information you have provided on this form to prevent and detect fraud. We may share this information for the same purposes with other Council Departments and organisations for example, other councils and the police.

BIRMINGHAM CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 PART II (CONTROL OF SEX ESTABLISHMENTS)

Application for a Licence to use any Premises, Vehicle, Vessel or Stall as a Sex Establishment

Application details:
ls this licence for Grant □ Renewal □ Transfer Ø 6 months □ 12 months □
Is the application being made by an individual on behalf of a partnership or body corporate? Yes \square No \square
Full Name of Applicant (ie the individual, body corporate or unincorporated body). If the applicant is an individual, please also give any former names
Permanent Residential Address of Applicant (if an individual) or registered or principal office (if a
body corporate or unincorporated body) & PSTHILL CROPT, STYVECHALE,
COVENTRY, CU3 GHL
BCC REGULATION & ENFORCEMENT
If Applicant is an individual please give details:
Date of Birth DATE RECEIVED
Date Became Resident in the UK or E.U Member State
National Insurance Number or E.U Member State Equivalent.
Telephone Number (during normal office hours) REF NO 009487 1000 8911
Name and address to which correspondence to be sent (if different from above)
Has the applicant a financial interest in the business which is the subject of this application?
Yes □ No □ If "yes" to what extent
Is the whole business owned by the applicant? Yes \square No \square

Premises details:
Under what name is, or will the premises be known ApいしているにO
If Application is in respect of a premises please give full address
1 HINCKLEY STREET, BIRMINGHAM, BS4EB
Are the whole of the premises described above to be used under the licence? Yes 🗷 No 🗀
If no, please state: a) which part of the premises is to be used for the purposes of the licence
a) which part of the prefinces is to be used for the purposes of the lectrice
b) the use to which the remainder of the premises are to be put
c) the names of those responsible for the management of the remainder of the premises
If the applicant's interest in the premises is a leasehold one, please state:
a) whether a head-lease or a sub-lease Head-lease 🗹 Sub-lease 🗆
b) the name and address of the landlord and of the superior landlord where applicable OTZ, 1 COCMORE SQUARE, BIRMINEHAM, ISH GAT ACENTS FOR THE HOWARD UNSE TRUST
c) the length of the unexpired term 476AZS APPROY
Is the application in respect of a sex shop or a sex cinema? Sex Shop ☑ Cinema ☐
Is the application in respect of premises or a vehicle, vessel or a stall?
Premises ☑ Vehicle ☐ Vessel ☐ Stall ☐
If application is in respect of a vehicle, vessel or stall, please state where it is to be used as a sex establishment
Are the premises, vehicle, vessel or stall in use as a sex establishment at the date of this application? Yes \square No \square
What means are to be taken to prevent the interior of the premises being visible to passers by? UNDOUS ARE BLACKED OUT AND ENTRANCE IS PECESSED SO THE INTERIOR IS NOT UISIDLE TO PASSEDS BY
Give details of the times during which it is proposed to open the premises:
i) Days of the week: 9.30 AM - 10 PM MONDAY - SATURDAY
ii) Hours of the day: AM - 4 PM SUNDAY

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

Name (in full): Mr/Mrs/Miss/Other	Date of Birth	Address of permanent residence throughout six months immediately preceding this application	Date became resident of United Kingdom or other E.U member state
BION HUNCHULLY			

If the applicant is a company, what type of company is it (e.g., public or private, limited by share or guarantee, etc.)?
In which country is the company incorporated? ENELAND What is the date of incorporation of the company? 04 (04 (2017)
Please give details of the person who is to be responsible for the management of the premises in the absence of the licence holder: First Name PAUL Surname
Former Name (if any)
National Insurance Number or E.U Member State Equivalent
Permanent Address:
Date of Birth: Place of Birth:
Has any person named at any place in this application been associated in any way with any other
application for a licence for a sex establishment? Yes ☑ No □
If "yes" give full details: COVENTRY ROAD CINCERIE LTP 1014 COUENTRY ROAD, BIRMINEHAM, B25 8DP

Does the applicant or any persons named in this form have any Convictions/Cautions? Yes □	No Z
If so, please give details below:	

Convictions:

Forenames	Surname	Former Name (if any)	Court	Date	Offence	Penalty or Sentence
					-	
		and a second				
					And the Control of th	
/						
					Approximation of the contraction	

					Mary management of the state of	

Cautions:

Forenames	Surname	Former Name (if any)	Offence	Date of Caution	Where caution administered
				7	

(If necessary, please continue on a separate sheet)

	under the Local Government
(Miscellaneous Provisions) Act, 1982?	Yes □ No 🗷
If "yes" give full details:	
Please disclose any Forfeiture Order made under the Obscene Public respect of articles seized from premises where the applicant or any pecarrying on business.	ations Act 1959 made in erson named in this form was
-	
Is there any further information which the applicant would wish the considering this application?	Council to take into account when
ECLARATION: I declare that the details in this application are true to blief and acknowledge that if there are any omissions or incorrect is may result in the application being refused. I further declare that the conditions of Licence for a Sex Shop/Sex Cinema made be cordance with Section 2 Schedule 3 of the Local Government (Miscould my application be granted.	statements of a serious nature I have read and agree to abide by Birmingham City Council in
PPLICANTS ARE INFORMED THAT ANY PERSON WHO, IN CONNE OR THE GRANT, RENEWAL OR TRANSFER OF A LICENCE, MAKES E KNOWS TO BE FALSE IN ANY MATERIAL RESPECT OR WHICH I RUE, IS GUILTY OF AN OFFENCE AND LIABLE, ON SUMMARY (ICEEDING £20,000.	S A FALSE STATEMENT WHICH HE DOES NOT BELIEVE TO BE
gnature	

CINEMA Tranks

Fair Processing Statement – Any personal data held by Birmingham City Council in relation to your application for a Licence to use a premises, vehicle, vessel or stall as a Sex Establishment, will be held in full compliance with the legal obligations as set out in the Data Protection Act 1998. This is in accordance with the Council's Privacy Policy; a copy is available on the Council's website: www.birmingham.gov.uk/privacy. To protect the public fund we may also use the information you have provided on this form to prevent and detect fraud. We may share this information for the same purposes with other Council Departments and organisations for example, other councils and the police.

BIRMINGHAM CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 PART II (CONTROL OF SEX ESTABLISHMENTS)

Application for a Licence to use any Premises, Vehicle, Vessel or Stall as a Sex Establishment

Application details:				
Is this licence for Grant □ Re	enewal 🏻	Transfer 🛭	6 months □	12 months 🛘
Is the application being made by a	n individual	on behalf of a p	oartnership or bod	y corporate? Yes ☐ No Ø
Full Name of Applicant (ie the indi	vidual, body	corporate or ur	nincorporated bod	y). If the applicant is
an individual, please also give any	OAD LIN	CERIE C	.TD	
Permanent Residential Address o	f Applicant (i	f an individual)	or registered or p	rincipal office (if a
body corporate or unincorporated	body)S.	DSTHICL.	CROFT :	5-1 YUEL MIHLE
body dorporate or animately		general amort agreement and	STREET WILLIAM STREET STREET STREET STREET	or females and a second a second and a second a second and a second a second and a second and a second and a
		RE		1
If Applicant is an individual please	e give details	:	LICENSING SEC	NOTE
Date of Birth		Place of Birth		
Date Became Resident in the UK				0.0
National Insurance Number or E.		DEE NO	')(XI4X +11	00891
Telephone Number (during normal Name and address to which corre	al office hour	s)!	2 Apps -	E4624.50
Name and address to which corre	espondence	to be sent (if di	ferent from above	13.05.19
	*************		***************************************	
Has the applicant a financial inter	rest in the bu	siness which is	the subject of thi	s application?
Yes ☐ No ☐ If "yes" to what ex	ktent			
		,		******************
Is the whole business owned by t	the applicant	?		Yes ☐ No ☐

Premises details:
Under what name is, or will the premises be known ADUCTWORLD If Application is in respect of a premises please give full address
1 LINCKLEY STREET, BIRMINGHAM, BS4EB
Are the whole of the premises described above to be used under the licence? Yes $oldsymbol{\square}$ No $oldsymbol{\square}$
If no, please state: a) which part of the premises is to be used for the purposes of the licence
b) the use to which the remainder of the premises are to be put
c) the names of those responsible for the management of the remainder of the premises
If the applicant's interest in the premises is a leasehold one, please state:
a) whether a head-lease or a sub-lease Head-lease 🛛 Sub-lease 🗖
b) the name and address of the landlord and of the superior landlord where applicable のて上、1cochomm S@uBRE,BRMLOLOLOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOO
c) the length of the unexpired term 4 YEARS APPROY
Is the application in respect of a sex shop or a sex cinema? Sex Shop 🗆 Cinema 🗵
Is the application in respect of premises or a vehicle, vessel or a stall?
Premises ☑ Vehicle ☐ Vessel ☐ Stall ☐
If application is in respect of a vehicle, vessel or stall, please state where it is to be used as a sex establishment
Are the premises, vehicle, vessel or stall in use as a sex establishment at the date of this application? Yes ☑ No ☐
What means are to be taken to prevent the interior of the premises being visible to passers by? いいしゅう ちんくんとう ロット もっしゃ しょうしゃ とう とうしょう しょうしょう しょう
Give details of the times during which it is proposed to open the premises:
i) Days of the week: 9.30 AM - 10 PM MOND AY TO SATURDAY
ii) Hours of the day: 11. AM - 4 PM SUNDAY

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

preceding this application	of United Kingdom or other E.U member state
	:

If the applicant is a company, what type of company is it (e.g., public or private, limited by share or guarantee, etc.)?
In which country is the company incorporated? ENGLAND What is the date of incorporation of the company? 04/04/2013
Please give details of the person who is to be responsible for the management of the premises in the absence of the licence holder: First Name PPUL Surname
Former Name (if any)
National Insurance Number or E.U Member State Equivalent
Permanent Address:
Date of Birth: Place of Birth:
Has any person named at any place in this application been associated in any way with any other
application for a licence for a sex establishment? Yes ☑ No ☐ If "yes" give full details: (OUENTEN ROAD LINCEPIE LTD!
1014 COUENTRY ROAD, BIRMINGHAM, BZS SDP

Does the applicant or any persons named in this form have any Convictions/Cautions? Yes \Box	No ℤ
If so, please give details below:	

Convictions:

Forenames	Surname	Former Name (if any)	Court	Date	Offence	Penalty or Sentence
		1				
		111				

Cautions:

Forenames	Surname	Former Name (if any)	Offence	Date of Caution	Where caution administered

(If necessary, please continue on a separate sheet)

Is there in force against the applicant or any of the persons whose names appear in this application form a disqualification from holding a licence for a sex establishment under the Local Government
(Miscellaneous Provisions) Act, 1982? Yes □ No Ø
If "yes" give full details:
Please disclose any Forfeiture Order made under the Obscene Publications Act 1959 made in
respect of articles seized from premises where the applicant or any person named in this form was carrying on business.
Is there any further information which the applicant would wish the Council to take into account when considering this application?
DECLARATION: I declare that the details in this application are true to the best of my knowledge and belief and acknowledge that if there are any omissions or incorrect statements of a serious nature this may result in the application being refused. I further declare that I have read and agree to abide by the conditions of Licence for a Sex Shop/Sex Cinema made by Birmingham City Council in accordance with Section 2 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 should my application be granted.
APPLICANTS ARE INFORMED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT, RENEWAL OR TRANSFER OF A LICENCE, MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE, ON SUMMARY CONVICTION, TO A FINE NOT EXCEEDING £20,000.
Signature
Name of Signatory 24AN MCNULT
Designation of Signatory DIRECTOR

BIRMINGHAM CITY COUNCIL

STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES (SEV)

These regulations are made under paragraph 13(1) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (the "1982 Act") as amended by the Policing and Crime Act 2009 (the "2009 Act") to prescribe conditions. In these Regulations, except when the context otherwise requires, the following expressions shall have the following meanings:

- (i) "The Council" shall mean the Birmingham City Council and all enquiries concerning these Regulations and its conditions shall be directed to Licensing Section, P.O. Box 17013, Birmingham, B6 9ES. Telephone 0121 303 9896 or email licensing@birmingham.gov.uk
- (ii) These conditions apply to all premises licensed as a "sexual entertainment venue" as defined by the said 1982 Act that is to say terms, conditions and restrictions on or subject to which licences under Schedule 3 of the 1982 Act are in general to be granted, renewed, varied or transferred.
- (iii) "Sexual Entertainment Venue" ('SEV') means any premises at which relevant entertainment is provided before a live audience, directly or indirectly for the financial gain of the organiser or the entertainer.
- (iv) "Premises" includes any vessel, vehicle or stall but does not include any private dwelling to which the public is not admitted.
- (v) 'Relevant Entertainment' means any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).
- (vi) The Council may at any time waive, modify or vary these conditions or impose additional special conditions in any particular case.
- (vii) If the Licensee wishes any of the terms of the licence to be varied an application must be made to the Council.
- (viii) In the event of a conflict between the prescribed conditions and special conditions contained in a SEV licence the special conditions shall prevail.

OPENING HOURS

1. The licensed premises shall not be open or used for the purposes for which the licence is granted except between the hours prescribed within the licence or those hours of operation determined by the Licensing and Public Protection Committee.

WINDOW, FASCIA BOARD ADVERTISEMENT AND DISPLAYS

- 2. Save for the entrance lobby, the interior of the premises shall not be visible to passers-by and to that intent the licensee shall ensure the area of the premises in which relevant entertainment is offered shall not be capable of being seen from outside the premises.
- 3. The windows, doors, fascia board, walls and all external parts of the premises including the roof shall not contain any form of writing, sign or display save for:
 - (a) The address of the premises.
 - (b) The licensed name of the premises.
 - (c) A notice stating the opening hours of the establishment.
 - (d) In the case of a licence granted to a body corporate:
 - (i) If the premises name is not the same as the full name of the body corporate then such corporate name and;
 - (ii) If the premises are also the body's registered office for the purposes of the Companies Acts then an indication in a form acceptable to the company that such is the case.
- 4. The lettering used in respect of such permitted items shall be of such colour and style as may be approved by the Council.
- 5. The licensee shall not permit the display outside of the premises of photographs or other images, which indicate or suggest that relevant entertainment takes place in the premises.

LICENSED NAME

- 6. At the time of granting the licence in respect of the premises the Council will authorise a name referred to as "The Licensed Name" by which it is intended that the premises shall be known and the licensee shall ensure that the premises are known solely by that name and by no other, save as provided for by the paragraph below.
- 7. To change the licensed name, an application shall be made to the Council not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to allow or refuse such change.

EXHIBITION OF LICENCE

- 8. a) A copy of the licence (two pages) shall be suitably framed and exhibited in a position that can easily be read by all persons entering the premises.
 - b) The conditions of licence and all such documents listed as Appendices to said licence shall be retained in a clean and legible condition and immediately available for inspection by anyone who so requests.
- 9. The licensee shall retain a copy of a form signed by each employee and performer confirming that they have read and understood the licence and conditions. The copy shall be retained for a period of six months after they cease work at the premises. A copy of the licence and conditions shall be given to each performer.

RESPONSIBILITY OF THE LICENSEE

- 10. The licensee or a responsible person over 18 years of age nominated by them in writing for the purpose of managing the SEV in their absence shall be in charge of and upon the premises during the whole time they are open to the public.
- 11. The written nomination referred to in condition 10 above shall be maintained in a daily register, kept on the premises and made continuously available for inspection by an officer authorised by the Council or police officer.
- 12. The person in charge shall not be engaged in any duties that will prevent them from exercising general supervision and they shall be assisted as necessary by suitable adult persons to ensure adequate supervision.
- 13. The licensee must ensure that there is a current insurance policy in force to cover the performers whilst the premises are open and that a copy is displayed in areas where all staff have access.

EMPLOYEES AND MANAGEMENT STAFF

- 14. The licensee shall keep and maintain at the licensed premises a written record of the names, addresses, and copies of photographic proof of age documents of all persons employed or performers permitted to operate within the licensed premises whether upon a full or part time basis and shall, upon request by an authorised officer of the Council or police officer, make such records available for inspection to them. (see Conditions regarding Door Supervisors)
- 15. Condition 14 does not relate to persons engaged to carry out repairs or provide services from external companies to the premises, however, such persons must be aged 18 years and over if the premises are open for the purpose of providing sexual entertainment.

- 16. The licensee shall ensure that all persons employed or permitted to work within the licensed premises hold the appropriate rights to work and shall keep copies of any documentation used to verify the details of these rights where necessary.
- 17. The licensee shall maintain a register of the names, addresses and dates of birth of such person or persons (whether employees or otherwise connected with the business) who have authority to manage the premises in the licensee's absence.
- 18. 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 to the Licensing Authority

CHANGE OF LOCATION AND ALTERATIONS TO PREMISES

- 19. Where the licensed premises is a vessel or stall, the licensee shall not move the licensed vessel or stall from the location specified in the licence unless a variation application is submitted for the Council's determination giving not less than 28 days notice. n.b. this requirement shall not apply to a vessel or stall which habitually operates from a fixed location but which is regularly moved (whether under its own propulsion or otherwise) from another place such location as is specified in the licence.
- 20. Alterations or additions, either internal or external and whether permanent or temporary, to the structures, lighting or layout of the premises as shown on the plan, including any change in the permitted signs on display shall not be made except with the prior approval of the Council.

CLUB RULES

- 21. Any club rules imposed on the performers shall be displayed in a prominent position within the premises for all employees to have easy access whilst at work.
- 22. A copy of the club rules shall be provided to performers engaged by the premises by means of a written contract signed by the recipient. Copies of the same must be retained on the premises and produced to an authorised officer of the Council or police officer on request.

FEES

23. Receipts or records of payments received should be provided to performers where "house fees" are charged or when any fines are issued.

PERFORMANCES

- 24. No person under the age of 18 shall be permitted to be on the licensed premises when sexual entertainment is provided. A notice shall be clearly displayed at the entrance to the premises in a prominent position stating that "No person under 18 will be admitted when sexual entertainment is being provided" so that it can be easily read by persons entering the premises.
- 25. Each area where relevant entertainment is conducted shall be supervised and/or contain a panic alarm for the safety of performers.
- 26. A customer code of conduct shall be prominently displayed in each area to which the public are admitted.
- 27. Performers shall be aged not less than 18 years.
- 28. Full nudity is only permitted in the approved designated areas, as stipulated or shown on the approved plan attached to the licence. In all other public areas within the premises the performers and employees must at all times wear at least a G string (female) and or pouch (male) covering the genitalia
- 29. During all performances (including performances usually termed 'private dances') there must not be any deliberate contact, by the performer, with any patron or person within the audience except:
 - a). Leading a patron by the hand to and from a chair or private room or designated dance area.
 - b). Simple handshake greeting at the beginning and/or end of the performance.
 - c). A customary ("peck on the cheek") kiss at the end of the performance.
 - d). the placing of monetary notes or dance vouchers into the hand or garter worn by the performer.
- 30. No performances shall include any sex act involving any other persons or objects (or involve any form of auto-erotic stimulation).
- 31. A price list shall be displayed in a prominent position giving the price and the duration of any 'private dances'.
- 32. Any person employed to supervise or attend to the exterior or entrance area of the premises must, at all times be suitably and sensibly dressed so as not to indicate or suggest the nature of the relevant entertainment taking place at the premises.
- 33. No fastening or lock of any description shall be fitted upon any booth or cubicle or other area within the premises except as shown on the plan; within the toilets, within the performers' dressing rooms and/or staff areas.
- 34. At all times during a performance, performers shall have unrestricted access to a dressing room.

35. Patrons or members of the audience shall not take photographs or record digital images of performers within the premises via a camera or mobile phones

DOOR SUPERVISORS

- 36. The licensee shall ensure all door supervisors employed or contracted to work on the premises are suitably licensed by The Security Industry Authority or appropriate agency.
- 37. Where door staff are used, the licensee shall maintain profiles for all door staff that are, or have been, working at the premises in the last six months. The profile is to contain proof of identity (copy of passport /photo driving licence) and proof of address dated within the last six months (bank statement /utility bill). Separate proof of address is not necessary when the proof of identity is a photo driving licence. All profiles are to be made immediately available to Authorised Officers upon request.
- 38. An adequate number of licensed door supervisors, based on a risk assessment undertaken by the licensee, shall be on duty on the premises whilst relevant entertainment takes place.
- 39. At least one door supervisor shall be on duty at the premises at all times when the relevant entertainment takes place.

CCTV

- 40. CCTV shall be installed in each room within the premises where the public has access save for the toilet and staff only areas. All cameras shall continuously record whilst the premises are open to the public and recordings shall be kept available for a minimum of twenty-eight days.
- 41. A member of staff who is fully trained in the use of the CCTV system shall be on duty at all times when the premises are open until the premises are clear of customers.
- 42. The premises will provide copies of any recordings upon request by a police officer or an authorised officer of the Council within 24 hours of the request.

TOUTING FOR BUSINESS AWAY FROM THE PREMISES

- 43. The licensee shall not allow the use of vehicles including limousines for the promotion of the relevant entertainment.
- 44. The collection of patrons and or potential clients is not permitted unless the vehicle is licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

- 45. The licensee shall not permit any person whilst on a public thoroughfare to encourage any other person to visit the SEV premises by any means.
- 46. The licensee shall endeavour to ensure any marketing communications associated with the SEV or relevant entertainment shall comply with the code of practice as issued by the Advertising Standards Authority.

ADMISSION OF AUTHORISED OFFICERS

47. Officers of the Council, Police, and other authorised agencies who are furnished with authorities (which will be produced on request) shall be admitted immediately to all parts of the premises at all reasonable times and at any time the premises are open for business.

BIRMINGHAM CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

<u>SECTION 2 AND SCHEDULE 3</u> (Licensing of Sex Establishments)

CONDITION OF LICENCE FOR A SEX SHOP

INTRODUCTION

- In these conditions "The Council" shall mean the Birmingham City Council and all enquiries concerning this licence shall be directed to Licensing Section, P.O. Box 17013, Birmingham, B6 9ES. Telephone 0121 303 9896.
- 2. These conditions are imposed by the Council pursuant to its powers under paragraph 13 (1) of Schedule 3 to the above Act and apply to all premises licensed as a "Sex Shop" as defined by the Act save and insofar as they do not conflict with any special conditions forming part of the Licence nor with the provisions of the Act itself.
- 3. These conditions are only applicable to a "Sex Shop" as defined. Separate conditions exist in relation to a "Sex Cinema" (as defined by the above Act).

OPENING HOURS

- 1. The licensed premises shall not be open nor used for the purposes for which the licence is granted except between the hours of 9 am and 6.30 pm on any weekday (including Saturday).
- 2. The licensed premises shall not be so open or used at all on Sundays, Good Friday, Christmas Day or any other general or public holiday.

WINDOW, FASCIA BOARD ADVERTISEMENT AND DISPLAYS

1. The interior of the premises shall not be visible to passers-by and to that intent the licence holder shall obscure all windows and doors in a manner satisfactory to the Council.

- 2. The windows, doors fascia board, walls and all external parts of the premises including the roof shall not contain any form of writing, sign or display save for:-
 - (a) The address of the premises
 - (b) The Licensed name of the premises (as explained in paragraph 4 hereof)
 - (c) The form of warning notice required to be displayed by virtue of the provisions of Section 1 (6) of the Indecent Displays (control) Act 1981
 - (d) A notice stating the opening hours of the establishment
 - (e) In the case of a Licence granted to a body corporate:-
 - (i) If the Licence name is not the same as the full name of the body corporate then such corporate name and;
 - (ii) If the premises are also the body's registered office for the purposes of the companies Acts then an indication in a form acceptable to the Company that such is the case.
 - (f) The wording "PRIVATE SHOP" or "ADULT SHOP" but no other indication as to the nature of the business carried on at the licensed premises.
- 3. The lettering used in respect of such permitted items:-
 - (a) Shall be of such colour and style as may be approved by the Council.
 - (b) In the case of the permitted items 'a', 'b', 'c', and 'e' the lettering used shall not exceed one foot in height for each letter, provided also that if different sizes of letters are used in respect of different items, that used in respect of item 'f' shall not exceed the height of any other lettering.

LICENSED NAME

- 1. The Council at the time of granting the licence in respect of the premises appoint a name referred to as "The Licensed Name" by which it is intended that the premises shall be known and the licence holder shall ensure that the premises are known solely by that name and by no other, save as provided for by paragraph 2 below.
- 2. An application in respect of a change of licence name shall be made to the Council in writing not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to allow or refuse such change.

EMPLOYEES AND MANAGEMENT STAFF

- 1. The Licence holder shall at all times keep and maintain at the licensed premises a written record of the names, addresses, and dates of birth of all persons employed within the licensed premises whether upon a full or part basis and shall upon request by an authorised Officer of the Council make such records available for inspection to them.
- 2. The Licence holder shall at all times provide the Council with written notification as to the names, addresses and dates of birth of such person or persons (whether employees or otherwise connected with the business) who have authority to manage the premises in the licence holder's absence.

CHANGE OF LOCATION AND ALTERATIONS TO PREMISES

- 1. In the case of licensed premises which are a vessel or stall the licence holder shall not move the licensed vessel or stall from the location specified in the licence unless he shall first give the Council not less than 28 days notice in writing of such intended removal and the Council may require him to lodge such written application as it may deem appropriate and pay such fee as it may deem reasonable in respect of such application provided that this requirement shall not apply to a vessel or stall which habitually operates from a fixed location but which is regularly moved (whether under its own propulsion or otherwise) from another place such location as is specified in the licence and which is not used for the purposes for which the licence is granted and any other location than that which is specified.
- 2. In the case of a business conducted from fixed premises no alteration of any kind shall be made to the interior or the exterior of the premises including any change in the permitted signs displayed thereat or in the manner in which the windows and doors are obstructed unless the licence holder shall first obtain the written consent of the Council.

RESPONSIBILITY OF THE LICENCE HOLDER

The Licence holder or any person purporting to act upon his behalf shall be responsible for ensuring compliance with these and any special conditions of the licence and will be held responsible for any breach thereof.

VARIATION OF CONDITIONS

The Council may at any time waive, modify or vary these conditions or impose additional conditions in any particular case.

BIRMINGHAM CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

SECTION 2 AND SCHEDULE 3 (Control of Sex Establishments)

CONDITION OF LICENCE FOR A SEX CINEMA

INTRODUCTION

- 1. In these conditions "The Council" shall mean the Birmingham City Council and all enquiries concerning this licence shall be directed to Licensing Section, P.O. Box 17013, Birmingham, B6 9ES. Telephone 0121 303 9896.
- 2. These conditions are imposed by the Council pursuant to its powers under paragraph 13 (1) of the above Act and apply to all sex establishments licensed as a "Sex Cinema" as defined by the Act save and insofar as they do not conflict with any special conditions forming part of the licence nor with the provisions of the Act itself or with any other legislation which may from time to time be enforced in relation to the licensing and management of cinematograph, video display and similar establishments and to such conditions or regulations as may be made in relation to such establishments by virtue of such legislation by Parliament or the Council.
- 3. These conditions are only applicable to a "Sex Cinema" as defined by the Act and separate conditions exist in relation to a "Sex Shop" (also as so defined).

OPENING HOURS

- 1. The licensed premises shall not be open or used for the purposes for which the licence is granted except between the hours of 9 am and 11 pm on any week day (including Saturday) provided that if the Sex Cinema is operated as part of a licensed "Sex Shop" then it shall not be open for any greater number of hours or at different hours to those for such shop itself.
- 2. The licensed premises shall not be so open or used at all on Sundays, Good Friday, Christmas Day or any other general or public holiday.

LICENSED NAME

- 1. The Council at the time of granting the licence in respect of the premises appoint a name referred to as "The Licensed Name" by which it is intended that the premises shall be known and the licence holder shall ensure that the premises are known solely by that name and by no other, save as provided for by paragraph 2 below.
- 2. An application in respect of a change of licence name shall be made to the Council in writing not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to allow or refuse such change.

EMPLOYEES AND MANAGEMENT STAFF

- 1. The licence holder shall at all times keep and maintain at the licensed premises a written record of the names, addresses, and dates of birth of all persons employed within the licensed premises whether upon a full or part basis and shall upon request by an authorised Officer of the Council make such records available for inspection to them.
- 2. The licence holder shall at all times provide the Council with written notification as to the names, addresses, and dates of birth of such person or persons (whether employees or otherwise connected with the business) who have authority to manage the premises in the licence holder's absence.

RESPONSIBILITY OF THE LICENCE HOLDER

The licence holder or any person purporting to act upon his behalf shall be responsible for ensuring compliance with these and any special conditions of the licence and will be held responsible for any breach thereof.

EXTERNAL APPEARANCE OF PREMISES

- 1. The interior of the premises shall not be visible to passers-by and to that intent the licence holder shall obscure all windows and doors in a manner satisfactory to the Council.
- 2. The windows, doors fascia board, walls and all external parts of the premises including roof shall not contain any form of writing, sign or display save for:-
 - (1) The address of the premises.
 - (2) The licensed name of the premises (as explained in paragraph 3 hereof).

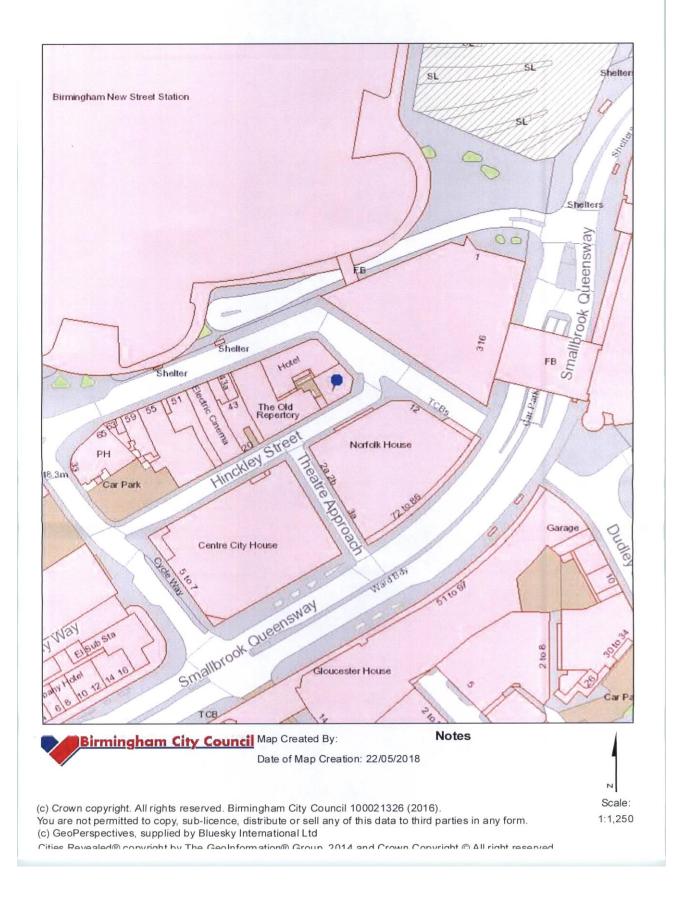
- (3) The form of warning notice required to be displayed by virtue of the provision of Section 1 (6) if the Indecent Displays (control) Act 1981.
- (4) A notice stating the opening hours of the establishment.
- (5) In the case of a licence granted to a body corporate:-
 - (a) If the licence name is not the same as the full name of the body corporate then such corporate name and:-
 - (b) If the premises are also the body's registered office for the purposes of the Company's Acts then an indication in a form acceptable to the company that such is the case.
- (6) The wording "ADULT CINEMA" but no other indication as to the nature of the business carried on at the licensed premises.
- 3. The lettering used in respect of such permitted items:-
 - (a) Shall be of such a colour and style as may be approved by the Council.
 - (b) In the case of the permitted items numbered 1, 2, 3, and 5 the lettering used shall not exceed one foot in height for each letter provided also that if different sizes of letter are used in respect of different items that are used in respect of item 6 shall not exceed the height of any other lettering.

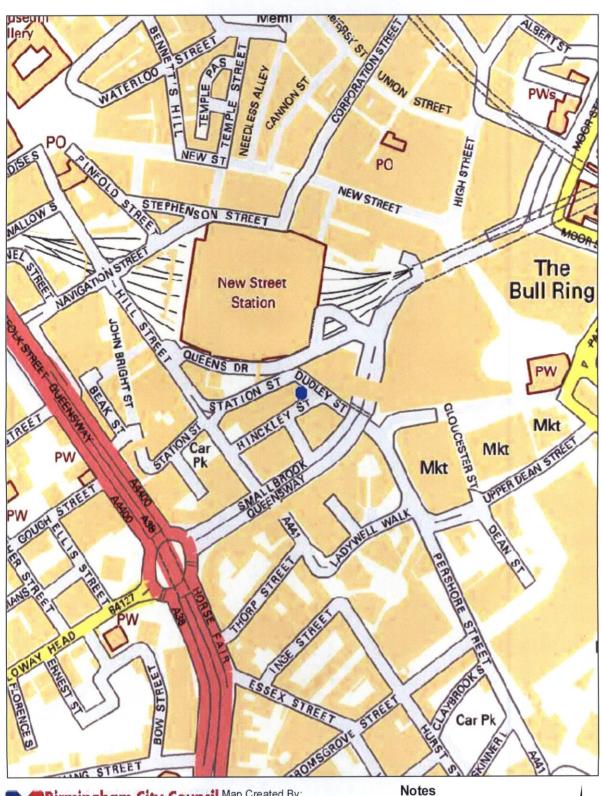
VARIATION OF CONDITIONS

The Council may at any time waive, modify or vary these conditions or impose additional conditions in any particular case.

NOTE:- (not forming part of the conditions)

The attention of all licensees is drawn to the provision of the Cinematograph Amendment Act 1982 as respects the obtaining of a licence under that Act and to the Obscene Publications Act 1961 and the Indecent Displays (Control) Act 1981.





Birmingham City Council Map Created By:

Date of Map Creation: 22/05/2018

(c) Crown copyright. All rights reserved. Birmingham City Council 100021326 (2016). You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form. (c) GeoPerspectives, supplied by Bluesky International Ltd

Scale:

1:4,000