

BRIGHTON & HOVE CITY COUNCIL

**Local Government (Miscellaneous Provisions) Act 1982
Part II, Schedule 3**

**Application for grant / renewal / transfer / variation of a
Sexual Entertainment Venue Licence**

Applications may be made by individuals, corporate bodies or unincorporated bodies.

1. Application is hereby made and the necessary fee enclosed for a

New Licence ()*

Transfer of Licence ()*

Renewal of Licence ()*

Variation of Licence ()*

*Tick as appropriate

2. Name and address of premises to which this application relates.

If application relates to a vehicle / vessel / stall give description and state where it is to be used as a sex establishment.

3. Full Name of Applicant.

Date of Birth.

Occupation (during preceding six months).

4. Address for Correspondence (If different from permanent address)

Telephone No.

If application is made on behalf of a corporate or unincorporated body.

5. Name of applicant body: _____

State whether a corporate or unincorporated body. _____

6. Address of registered or principal office. _____

7. Full names of all directors and other persons responsible for the management of the body, including if applicable the names of managers, company secretary and similar officers and the manager of the establishment.
(You will be required to complete a statutory declaration sheet for each person) _____

8. What hours and days do you require the licence to cover? _____

9. What "relevant" entertainment do you wish to provide?

10. If you are seeking to vary the licence, what does the variation consist of?

11. If the premises are not open between 9.00 am and 4.00 pm, state name, address and telephone number of person responsible for keys to the premises. _____

12. If only part of the building is to be licensed, give details. _____

13. Will any part of the premises be used for the exhibition of moving pictures? Yes / No

14. Does the applicant presently use the premises or the vehicle, vessel or stall as a sex establishment? Yes / No

If not, what is the present use?

If yes, give details of any person, other than the applicant(s) who has run the premises, vehicle, vessel or stall as a sex establishment since that date?

15. If the premises or the vehicle, vessel or stall are presently used as a sex establishment, when did the use commence?

16. Give full details of the type of business to be conducted at the establishment.

17. I declare I have checked the information given on this application and attached statutory declaration forms and to the best of my knowledge and belief it is correct.

18. I enclose a cheque for £ being the appropriate application fee.

Date: _____

Signature: _____

All applicants are required to send with this application (a) two plans showing the area to be licensed, (b) statutory declarations in the form shown in the attached document in respect of (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Return to: Environmental Health & Licensing, Brighton & Hove City Council, 2nd Floor, Bartholomew House, Brighton BN1 1JE

BRIGHTON & HOVE CITY COUNCIL

Statutory declaration sheet for application for grant / renewal / transfer of Sexual Entertainment Venue licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name.

Position held.

Date of birth.

Place of birth.

Permanent address.

Address(es) at which person has been resident during the five years preceding the date of this application.

Details of any relevant previous convictions and/or cautions
Please give details of any "unspent" convictions or cautions (see overleaf)

Date of conviction	Court of conviction	Nature of offence	Sentence

Please photocopy extra sheet for each declaration

Convictions To Be Declared In Respect Of Applications Sex Establishment Licence

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

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

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

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

Sentence.

Rehabilitation Period.

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

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

FORM OF CERTIFICATE FOR NEWSPAPER ADVERTISEMENT

**Application for a Sexual Entertainment Venue Licence under the Local Government
(Miscellaneous Provisions) Act, 1982, Part II, Schedule 3**

To the Head of Regulatory Services
Brighton & Hove City Council
2nd Floor, Bartholomew House
Brighton
BN1 1JE

I CERTIFY that a press notice of which a true copy is attached was on the

Day of 20 published for the first

time in the (state newspaper)

being a local newspaper circulating in the area which the premises the subject
of my application are situated.

Date: _____ Signed: _____

The applicant for a Sexual Entertainment Licence in respect of premises at _____

BRIGHTON & HOVE CITY COUNCIL

NEWSPAPER ADVERTISEMENT

Application for a Sexual Entertainment Venue Licence under the Local Government (Miscellaneous Provisions) Act, 1982, Part II, Schedule 3

NOTICE IS HEREBY GIVEN THAT I / WE (FULL NAMES)

APPLIED ON (Date)

TO Brighton & Hove City Council

in respect of the premises known as

for a licence to use the premises as a 'Sexual Entertainment Venue'

ANY PERSON wishing to oppose the application should write to the Head of Regulatory Services, Brighton & Hove City Council, 2nd Floor, Bartholomew House, Brighton BN1 1JE, by no later than:-*

Letters in support should also be sent to the Head of Regulatory Services by that date.

Please note that any written representations received in response to this consultation are likely to be required to be made available for public inspection in accordance with the Local Government (Access to Information) Act 1985.

* Insert 28 days after the date of application.

Note: This form is recommended for the text of a newspaper advertisement for the purpose of the Local Government (Miscellaneous Provisions) Act, 1982, Part II, Schedule 3.

FORM OF CERTIFICATE FOR SITE NOTICE

Application for a Sex Establishment Licence under the Local Government (Miscellaneous Provisions) Act, 1982, Part II, Schedule 3

To the Head of Regulatory Services
Brighton & Hove City Council
2nd Floor, Bartholomew House
Brighton
BN1 1JE

I CERTIFY that on the _____ Day of _____ 20

I displayed a site notice of which a true copy is attached and ensured that the
notice continued to be displayed on or at the premises at:-

in a prominent position so that it could easily be read by passers-by, and ensured
that the site notice remained in position for at least twenty one days.

Date: _____ Signed: _____

BRIGHTON & HOVE CITY COUNCIL

SITE ADVERTISEMENT

Application for a Sexual Entertainment Venue Licence made under the Local Government (Miscellaneous Provisions) Act, 1982, Part II, Schedule 3

NOTICE IS HEREBY GIVEN THAT I / WE (FULL NAMES):

APPLIED ON (Date):

TO: Brighton & Hove City Council

in respect of the premises known as:

located at (address of premises):

for a licence to use the premises as a 'Sexual Entertainment Venue'

ANY PERSON wishing to oppose the application should write to the Head of Regulatory Services, Brighton & Hove City Council, 2nd Floor, Bartholomew House, Brighton BN1 1JE, by no later than:-*

Letters in support should also be sent to the Head of Regulatory Services by that date.

Please note that any written representations received in response to this consultation are likely to be required to be made available for public inspection in accordance with the Local Government (Access to Information) Act 1985.

*** Insert 28 days after the date of application being made to Brighton & Hove City Council.**