

SANDWELL METROPOLITAN BOROUGH COUNCIL

Local Government (Miscellaneous Provisions) Act 1982

The Sandwell Metropolitan Borough Council by virtue of their powers under the Local Government (Miscellaneous Provisions) Act 1982 hereby grant to:-

**DARKER ENTERPRISES LIMITED
UNIT 3, CHANCERYGATE BUSINESS CENTRE
33 TALLON ROAD
HUTTON
BRENTWOOD
ESSEX
CM13 1TE**

a licence to use the place known as "**PRIVATE SHOP**" and situated at **19 BULL STREET, WEST BROMWICH, WEST MIDLANDS B70 6EU** in the said Borough for the purpose of:-

A SEX SHOP

subject to the following conditions and restrictions:-

1. The Licence shall, unless revoked in the meantime, be in force from **1st August 2017** to the **31st July 2018**
2. The licensed premises shall not be used for the purpose of which this licence is granted on any occasion when the licensing authority shall have signified their desire in writing to the occupier or other person having at the time the care and management of such premises that the same should not be open.
3. This Licence is also subject to the additional terms and conditions specified in the attached document.

Trading Standards and Licensing

Dated this 14th September 2017

SEX SHOP LICENCE CONDITIONS

- 1 (a) "The Council" means the Council of the Metropolitan Borough of Sandwell and where a function has been delegated to a Committee of the Council or to any Sub-Committee of the Committee, the Committee or Licensing Committee to whom the exercise of the function is delegated.
- (b) "The premises" means the premises described above in respect of which this licence is granted.
- (c) "The Act" means the Local Government (Miscellaneous Provisions) Act 1982.
- 2 This Licence is granted in respect of a sex shop only as defined in the Act and the premises shall not be used as a sex cinema as defined in the Act without the issue of a further licence by the Council.
- 3 Unless otherwise provided for by paragraph 14 below, the premises shall not be opened or used for the purpose for which the licence is granted before the hour of 9.00am in the morning or after the hour of 6.00pm in the afternoon of any weekday including Saturday.
 - (i) The premises shall not be opened on Christmas Day.
- 4 No refreshment of any kind shall be served or sold to or consumed by customers or potential customers visiting the premises or to or by any person thereupon other than bona fide staff employed upon the premises.
5. Facilities for previewing films may be permitted subject to the following -
 - a) Any screen(s) shall be placed in such a position so as not to be visible to the public outside the premises.
 - b) Only video clips of other videos for advertising purposes shall be shown and no individual clip shall be shown for longer than 3 minutes.
 - c) No film or movie will be shown in its entirety.
 - d) Films or video clips will not be shown at the customer's request
- 6 The licensee or any person acting or purporting to act on his behalf shall be responsible for ensuring that the conditions of the Licence are complied with and will be held responsible for any breach thereof.
- 7 Admission shall be given at all reasonable times to the Police and to authorised officers of the Council.
- 8 No person under the age of 18 shall be admitted to the premises at any time.
- 9 No person under the age of 18 shall be employed in the business carried out at the premises.

10 (i) The interior of the premises shall not be visible to passers by and the licensee shall obscure all windows and doors in a colour and manner satisfactory to the Council;

(ii) Except as agreed in writing with the Council, the windows, doors, fascia board and all external parts of the premises including the roof shall not contain any form of writing, sign or display, except for:

(a) the address of the premises;

(b) the name of the premises;

(c) a notice, which shall be displayed in a prominent position on each entrance to the premises so as to be readily visible to any person approaching the premises with a view to entering therein but without their having so to enter containing the wording as prescribed by Section 1(6) Indecent Displays Control Act 1981, which is as follows:-

WARNING

Persons passing beyond this notice will find material on display which they may consider indecent. No admittance to person under 18 years of age.

(d) a notice stating the opening hours of the sex shop;

and

(e) the wording "Private Shop" or "Adult Shop" but no other indication as to the nature of the business carried on at the premises.

(iii) In the case of items Nos. 10 (ii) (a),(b),(c),(d) and (e) the lettering used shall be of such colour and style as may be approved by the Council. In the case of items Nos. 10(ii) (a),(b) and (e) the lettering shall not exceed one foot in height for each letter.

The Licensing (Miscellaneous) Committee, at its meeting on 23rd September 2008 gave approval for a limited form of open window display at the premises for the display of lingerie on mannequins but nothing of a sexual or explicit nature.

11 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 licensee shall first obtain the written consent of the Council.

- 12 (i) The licensee 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 at the premises whether upon a full or part time basis and shall upon request by an authorised officer of the Council make such records available for inspection to him,
- (ii) The licensee 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 licensee's absence.
- 13 The Council may at any time waive, modify or vary these conditions or impose additional restrictions in any particular case.
- 14 The premises are allowed to remain open on Fridays until 8.00pm. Additional permission is given for the premises to remain open until 8pm from Monday to Thursday and Saturday during the 2 weeks preceding Christmas each year. The premises are allowed to open on Sundays and Bank Holidays between the hours of 10am and 4pm.
- 15 All pre-recorded media sold or offered for sale or hire at the premises must:-
- (a) have a valid British Board of Film Classification Certificate and be marked accordingly, excluding those which are exempt from certification.
- (b) be labelled on the media, packaging and any related promotional material only with the title under which the British Board of Film Classification Certificate was issued.
- (c) not display any pictorial material which did not form part of the media itself, unless the front of the media cover contains a sticker, of the size agreed with the Licensing Authority, which states the following disclaimer:-
- 'The cover of this media does not necessarily depict the film within.'

Trading Standards and Licensing, Adult Social care, Health and wellbeing, Sandwell
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