



## STANDARD CONDITIONS FOR SEX ESTABLISHMENT LICENCES

### Definitions

1. In these Regulations the following expressions shall have the following meanings...
  - (i) "Sex establishment" "sex cinema" "sex shop" and "sex article" shall have the meanings ascribed to them in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
  - (ii) "Premises" means a building or part of a building including any other form of structure whether permanent or temporary and any forecourt yard or place of storage used in connection with a building or part of a building which is the subject of a licence for a sex establishment granted under the said Third Schedule.
  - (iii) "Approval of the Council" or "Consent of the Council" means the approval or consent of the Council in writing under the hand of the Director of Corporate Services.
  - (iv) "Approved" means approved by the Council in writing.
  - (v) "The Council" means Derby City Council.
  - (vi) "Film" shall have the meaning ascribed to it in the Films Act 1960.

### General

2. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a sex establishment the special conditions shall prevail.
3. The grant of a licence for a sex establishment shall not be deemed to convey any approval or consent which may be required under any enactment by law order or regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982).
4. The marginal notes inserted in these Regulations are inserted for the purposes of convenience only and shall not effect in any way the meaning or construction thereof.

**Times of  
Opening**

5. Except with the previous consent of the Council the premises shall not be open to the public before 9.00 am and shall not be kept open after 11.00 pm.
6. Except with the previous consent of the Council the premises shall not be open on Sundays, Christmas Day or Good Friday.

**Conduct and  
Management of  
Sex  
Establishments**

7. 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 in writing to the Council within 14 days of such change and such written details as the Council may require in respect of any new director, secretary or manager are to be furnished within 14 days of a request in writing from the Council.
8. The licensee or some responsible person, being 18 years of age or over, nominated by the licensee in writing shall be in attendance at the premises at all such times as the premises are open to the public. Prior to such nomination or within five working days thereafter the licensee shall supply details (including a photograph) of the person involved to the Council who may serve notice on the licensee that such nomination shall not be made or shall be revoked.
9. The name of the person responsible for the management of the sex establishment be he the licensee or a manager approved in writing by the Council shall be prominently displayed within the premises throughout the period during which he is responsible for the conduct of the premises.
10. The licensee shall maintain a daily register in which he shall record the name and address of any person who is to be responsible for managing the premises in his absence and the names and addresses of those employed in the premises. The register is to be completed each day within thirty minutes of the premises opening for business and is to be open for inspection by the Police and by authorised officers of the Council.
11. The licensee shall retain control over all portions of the premises and shall not let, license or part with possession of any part of the premises.
12. The licensee shall maintain good order in the premises.
13. No person under the age of 18 shall be admitted to the premises or employed in the business of the establishment.

	14.	The Licensee shall ensure that the public are not admitted to any part or parts of the premises other than those which have been approved by the Council.
	15.	No part of the premises shall be used by prostitutes (male or female) for the purposes of solicitation or of otherwise exercising their calling.
	16.	The licensee shall ensure that no employee or other shall seek to obtain custom for the sex establishment by means of personal solicitation outside or in the vicinity of the premises.
	17.	The licensee shall comply with all statutory provisions and any regulations made thereunder.
	18.	The licensee shall ensure that during the hours the premises are open for business every employee wears a badge of a type to be approved by the Council indicating his name and that he is an employee.
User	19.	A sex shop shall be conducted primarily for the purpose of the sale of goods by retail.
	20.	No change or use of any portion of the premises from that approved by the Council shall be made until the consent of the Council has been obtained thereto.
	21.	No change from a sex cinema to a sex shop or from a sex shop to a sex cinema shall be effected without the consent of the Council.
	22.	Neither sex articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be sold, hired, exchanged or loaned in a Sex Cinema.
Goods available in Sex Establishments	23.	All sex articles and other things displayed within the premises shall be clearly marked to show to persons who are inside the premises the respective prices being charged.
	24.	All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase and a notice to this effect is to be prominently displayed within the premises.
	25.	No film or video film shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Censors and bears a certificate to that effect.

**External  
Appearance**

26. No display advertisement or any matter or writing shall be exhibited so as to be visible from outside the premises except:-
- (i) Any notice required to be displayed by law, by these Regulations or by any condition of a licence granted by the Council.
  - (ii) Such display advertisement matter or writing as shall have been approved by the Council.

27. The windows and openings of the premises shall be of a material or covered with a material which will render the interior of the premises invisible to passers by.

**State Condition  
and Layout of  
Premises**

28. The premises shall be maintained in good repair and condition.

29. Lighting in all parts of the premises as approved by the Council shall be in operation continuously during the whole of the time that the premises are open to the public.

30. The number, size and position of all doors and openings provided for the purposes of the ingress and egress of the public shall be approved by the Council and shall comply with the following requirements:-

- (i) All such doors or openings approved by the Council shall be clearly indicated with notices bearing the words "Exit" or "Fire Exit" in 5" (125 mm) white block letters on a green background sited above the doors or openings.
- (ii) Doors and openings other than exits which lead to parts of the premises to which the public are not permitted to have access shall have notices placed over them marked "private".
- (iii) No access shall be permitted through the premises to any other premises adjoining or adjacent except in the case of emergency.

31. External doors must be closed at all times other than when persons are entering or leaving the premises. The external doors to the premises shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.

32. The licensee shall make provision in the means of access both to and within the premises who are disabled.

**Safety**

33. No fastenings of any description shall be fitted upon any booths or cubicles set aside for the display of films.
34. Alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout shall not be made except with the prior approval of the Council.
35. All parts of the premises shall be kept in a clean and wholesome condition to the satisfaction of the Council.
36. The licensee shall take all reasonable precautions for the safety of the public and employees.
37. The licensee shall comply with any fire precaution and safety measures that may be required for him by the Council.
38. The premises shall be provided with fire appliances suitable to the fire risks of the premises and such fire appliances shall be maintained in proper working order and shall be available for instant use.

### PLAN OF INNER RING ROAD

