

LONDON BOROUGH OF HAMMERSMITH AND FULHAM

SEX ESTABLISHMENT REGULATIONS 2010

PRESCRIBING STANDARD CONDITIONS APPLICABLE TO LICENCES FOR SEX ESTABLISHMENTS

These Regulations are made under paragraph 13, Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982

1. These Regulations shall be known as the “London Borough of Hammersmith and Fulham Sex Establishment Regulations 2010”.

Interpretation

2. “Sex establishment”, “sexual entertainment venue”, “sex shop” and “sex cinema” shall have the same meaning as that given to them in schedule 3 (as amended) to the Local Government (Miscellaneous Provisions) Act 1982.

Standard conditions

3. The conditions set out in column 1 of schedule 1 of these Regulations shall apply to licences granted for those types of sex establishments listed in column 2 of schedule 1.

| SCHEDULE 1 | |
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| Condition | Applicable to: |
| A copy of the Sex Establishment Licence and the standard conditions made by the authority must be kept exhibited in the public area of the premises. | All Sex Establishment premises |
| No person under 18 years of age to enter the premises. | All Sex Establishment premises |
| All customers appearing to be under the age of 21 to be required to provide proof of their age before being allowed access to the premises. | All Sex Establishment premises |
| No person under 18 years of age is to be employed in the business of the establishment. | All Sex Establishment premises |
| At all entrances there shall be prominently displayed, so as to be visible at all times to persons approaching the premises, a notice prohibiting entry to all persons under 18 years of age. | All Sex Establishment premises |
| The Licensee shall not display outside, near to, or within the premises any advertising material, sign or pictorial display referring to the licensed premises or the goods, articles or services provided at the premises, in such a position or manner that it is visible to any person using adjacent highways, streets, footpaths or forecourts except any notice displaying the name or trading title of the Licensee, any Notice indicating the times of opening of the premises for business, any Notice required by any statute, regulation or bylaw applicable to the premises or business carried thereon or any notice prescribed by these conditions. The use of loudspeakers and | All Sex Establishment premises |

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| displays on business vehicles is strictly prohibited. | |
| The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises and the displays of articles sold at the premises shall not be visible at any time to persons outside the building. The external doors shall be fitted with automatic closing devices which shall be maintained in good working order. | All Sex Establishment premises |
| All refuse produced on the premises and materials, goods or articles discarded for any reason shall be securely stored within the premises and delivered in sealed containers to the refuse collection service. | All Sex Establishment premises |
| The Licensee shall make such provision for the reception of goods and articles for sale, hire, exchange, loan, demonstration or display on the premises so that they are received directly into the premises and not subject to storage for any period of time on any pavement, footpath, forecourt or yard nor in any vessel or vehicle, etc. | All Sex Establishment premises |
| The Licensee or a responsible person nominated by him in writing for the purpose and approved by the Council shall be in charge of and upon the licensed premises during the whole time they are open to the public. Such written nominations shall be continuously available for inspection by authorised officers of the Council or the Police. | All Sex Establishment premises |
| No part of the premises shall be used by prostitutes (male or female) for the purpose of solicitation or of otherwise exercising their calling or profession. | Sexual entertainment venues |
| The Licensee shall ensure that no employee or other person shall seek to obtain custom for the premises by means of personal solicitation outside or in the vicinity of the premises. | Sexual entertainment venues |
| The external appearance of the premises must be as approved by the Council and neither the interior nor the exterior of the premises shall be altered without the approval of the Council. | All Sex Establishment premises |
| No advertisements, other than advertisements relating to other licensed sex establishments or relating to goods sold from the premises, shall be displayed in the premises. | All Sex Establishment premises |
| A record shall be kept of all mail order transactions (if any) in such form as agreed by the Council. | All Sex Establishment premises |
| The Licensee shall immediately notify the Council if he intends to cease trading from the premises. | All Sex Establishment premises |

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| <p>The Licensee shall inform the Council if he is convicted under the Obscene Publications Act, 1959, the Protection of Children Act, 1978, or the Customs and Excise Management Act, 1979 or if an order for forfeiture is made under the Obscene Publications Act, 1959 following the service of a summons on the Licensee. The Council will take into consideration any such conviction or orders for possible revocation or non-renewal of the licence.</p> | <p>All Sex Establishment premises</p> |
| <p>The Licensee shall not in the conduct of the business employ any person:-</p> <p>Whose application for a licence to carry on a sex establishment, or renewal thereof, has been refused by the Council or any other licensing authority;</p> <p>Whose licence to carry on the business of a sex establishment has been revoked by the Council or any other licensing authority;</p> <p>The name, address, date of birth and details of any criminal convictions of all individuals who will have responsibility for the operation or management of the store in the absence of the licence holder are to be provided to the Licensing Authority prior to such persons commencing their role at the premises.</p> | <p>All Sex Establishment premises</p> |
| <p>The Licensee shall not, in the conduct of the business, employ any person who has a criminal conviction or simple caution under:</p> <ul style="list-style-type: none"> ▪ The Obscene Publications Act, 1959, ▪ The Protection of Children Act, 1978, or ▪ The Customs and Excise Management Act, 1979 | <p>All Sex Establishment premises</p> |
| <p>The windows of the premises must be such that there is no view from outside into the interior of the premises and no window display is to be permitted.</p> | <p>All Sex Establishment premises</p> |
| <p>A lobby area is to be installed with double doors so restricting the view into the premises when patrons are entering and leaving</p> | <p>All Sex Establishment premises</p> |
| <p>The premises shall not, for any purpose of the licence, be opened before 0900 hours and shall not be kept open beyond 2300 hours</p> | <p>Sex Shop</p> |
| <p>CCTV is to be installed, operated and maintained to a standard agreed with by the Police and the Licensing Authority. The system is to include 31 day imaging storage and be available for inspection in accordance with the Police's requirement.</p> | <p>All Sex Establishment premises</p> |
| <p>All goods to be discreetly wrapped before leaving the premises.</p> | <p>Sex Shop</p> |
| <p>No part of the premises is to be used for the showing of recorded videos, DVDs or other moving pictures.</p> | <p>Sex Shop</p> |
| <p>Any breach of or failure to comply with the Conditions attached to this Licence may result in the revocation of the Licence.</p> | <p>All Sex Establishment premises</p> |
| <p>There shall be prominently and legibly displayed a comprehensive tariff of all charges and prices which shall be illuminated and placed in such a position that it can easily and conveniently be read by persons before entering the premises. No employee shall stand in such a position as to obscure the notice.</p> | <p>Sexual Entertainment Venues</p> |

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| Any striptease entertainment must only be provided on a designated stage area, adjacent to tables where customers are seated and adjacent to the bar. | Sexual Entertainment Venues |
| Performances of striptease / lap dancing shall be undertaken only by the performers/entertainers, and the audience shall not be permitted to participate. | Sexual Entertainment Venues |
| No performer shall make physical contact with the breasts and / or genitalia of any other performer during a performance nor shall there be performance or demonstrations of simulated sex or related activities. | Sexual Entertainment Venues |
| When striptease entertainment takes place on the designated stage, it must be ensured that the performer has direct and clear access to the dressing room at the end of their performance. The access shall be maintained available without passing through or in close proximity to the audience. | Sexual Entertainment Venues |
| Nudity shall only be permitted by performers and not by customers | Sexual Entertainment Venues |
| It must be ensured that no performances of striptease, lap dancing or any other form of nudity can be seen from the street. | Sexual Entertainment Venues |
| <p>The only physical contact permitted between customers and performers is:</p> <ul style="list-style-type: none"> ▪ the placing of money in a garter worn by a female performer or in the performer's hand at the conclusion of a performance. ▪ a brief handshake at the beginning or end of a performance. ▪ a kiss by the performer on the customer's cheek after the performer has replaced her clothing at the end of a performance. ▪ A notice repeating the precise wording of the above conditions shall be displayed at the entrance of the premises, at each table and in each bar area. | Sexual Entertainment Venues |
| The only external advertising of the agreed activity at or in the immediate vicinity of the premises shall be one showcase measuring no more than 60cm by 45cm. No such advertising shall be sexually explicit or be likely to cause offence to a reasonable person. | Sexual Entertainment Venues |
| No payment may be made or offered to any person in any public place to encourage or persuade them to enter the premises | Sexual Entertainment Venues & Sex cinema |
| The licensee shall ensure that no music played in connection with the licensed activity is audible at or within the site boundary of any residential premises. | Sexual Entertainment Venues |

The above Regulations were made by the London Borough of Hammersmith and Fulham
on 27th October 2010

Sealed by the council