



REGULATIONS FOR SEX ESTABLISHMENTS

Portsmouth City Council, in exercise of the powers conferred by paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 hereby make the following Regulations prescribing standard conditions applicable to licences for sex establishments.

Interpretation

In these Regulations the following expressions that is to say “Sex Establishment”, “Sex Shop”, “Sex Cinema”, “Sex Article”, and “Vessel” shall have the meanings respectively assigned by Schedule 3 of the Act.

In these Regulations the following expressions shall have the meanings hereby respectively assigned to them namely:

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| “the Act” | means the Local Government (Miscellaneous Provisions) Act 1982. |
| “the Council” | means Portsmouth City Council and/or any authorised officer acting on behalf of the Director of Corporate Services. |
| “the premises” | means any premises, vehicle, vessel or stall licensed under the Act. |
| “licence holder” | means a person who is the holder of a sex establishment licence. |
| “permitted hours” | means the hours during which the licensed premises are permitted to be open to the public. |
| “licence” | means a licence granted pursuant to Schedule 3 of the Act. |

STANDARD CONDITIONS

Management Of Premises

1. The Licence holder, or some responsible person nominated by him and approved in writing by the council for the purpose of managing the sex establishment (“the manager”), shall have personal responsibility for and be present on the premises at all times when the premises are open to the public.
2. The Licence holder shall display, on the licensed premises in a conspicuous position, a copy of the licence and/or any special conditions attached.
3. The name of the person responsible for the management of the sex establishment, whether the licence holder or manager, shall be displayed in a conspicuous position within the premises throughout the period during which he is responsible for the conduct of the premises.
 - a) The Licensee shall notify the council of the name, address and date of birth of any manager or employee at the licensed premises at least 7 days prior to commencing employment. The council, in consultation with the police, reserve the right to object to the employment of any person by reason of general unsuitability and/or because of any recorded conviction, reprimand, warning or caution considered relevant.
 - b) The names of any and every employee working on the premises shall be displayed in a conspicuous position on the premises.
4. The licence holder shall retain control over all parts of the licensed premises and shall not let or part with possession of any part.
5. No person under the age of 18 shall be admitted to the premises and rigorous identity checks **SHALL** be made on any person who appears to be under the age of 18.
 - a) To ensure compliance of 5 above, the licence holder shall exhibit appropriate warning notices as to the minimum age requirements on both the exterior (frontage) door and also conspicuously on the appropriate inner lobby door.
6. The Licence holder nor any employee or agent shall tout or solicit custom for the sex establishment immediately outside or in the vicinity of the licensed premises.
7. No public music or dancing shall be permitted on the premises.
 - a) No alcohol shall be sold, offered or consumed by either staff or customers on the premises.
 - b) No facilities to provide or consume food (hot or cold) shall be permitted on the premises.

Hours of Opening and Closing

8. Licensed premises shall not, unless approved in writing by the council, be open for the purposes for which the licence is granted on any Sunday, bank or public holiday.
9. The general permitted hours (unless otherwise varied by the council) for the use of any premises, as a sex establishment shall be:

Monday to Saturday inclusive - 0930 until 2000

Conduct of the Premises

10. No change from a sex cinema to a sex shop or a sex shop to a sex cinema shall be made without the written consent of the council.
11. No sex articles or 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 displayed, sold, hired, exchanged, loaned or demonstrated in a sex cinema.
12. A sex shop shall be conducted primarily for the purpose of the sale of goods by retail.
13. All sex articles and other things displayed for sale, hire, exchange or loan within a sex establishment shall be clearly marked to show the price being charged.
14. All printed matter offered for sale, hire, exchange or loan within a sex establishment shall be available for inspection prior to purchase and a notice to this effect shall be displayed in a conspicuous position within the premises.
15. No film or video recording shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Certification and bears a certificate to that effect.

Premises Interior and Layout

16. Premises layout shall generally comply with deposited plans unless otherwise approved in writing by the council.
17. The Licence holder shall install and maintain, to the satisfaction of the council and police, a suitable CCTV system compliant with the code of practice issued under the Data Protection Act 1998.
18. No alterations, additions or modifications to either the internal or external parts of the licensed premises shall be made without the prior written consent of the council.

19. External doors shall be closed at all times other than when persons are entering or leaving the premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
20. The premises shall be fitted with an inner entrance lobby door or partition screen so that no part of the interior of the premises or any of the contents of the premises shall be visible when persons are entering or leaving the premises.
21. No access shall be permitted through the premises to any other premises adjoining or adjacent except in the case of emergency.
22. Any facilities on the premises for previewing films, video recordings or other similar material shall be physically separated from the display area of the shop in such a manner that no material being displayed by way of preview shall be visible or audible outside the preview area. The positioning of any playback or viewing equipment shall be approved by the council.
23. No part of the interior of the licensed premises shall be visible whatsoever to persons outside the premises.
24. No external advertising, words, signs, displays or illuminations shall be permitted unless previously approved by the council.
25. The external fabric, appearance and look of the licensed premises shall consist of materials and colours approved by the council in order to:
 - (a) Ensure that the frontage is of a discreet nature
 - (b) Ensure that it is appropriate to the character of the locality.

General

26. No gaming machines shall be provided on the premises.
27. The Licence holder shall take all reasonable precautions to ensure public safety on the premises and shall comply with any reasonable request made by the council.
28. The council may substitute, delete, vary or amend these conditions at any time.