

## REGULATIONS PRESCRIBING STANDARD CONDITIONS APPLICABLE

### TO LICENCES FOR VIDEO ONLY SEX ESTABLISHMENTS.

#### Definition

1. In these Regulations the expressions “Council” means the Council of the London Borough of Wandsworth; “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 and “premises” means a building or part of a building 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.
2. In these Regulations the expression “Restricted,18” or “R18” shall refer to the classification given to videos by the British Board of Film Classification.

#### General

3. 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.
4. 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.
5. The marginal notes inserted in these Regulations are inserted for the purposes of convenience only and shall not affect in any way the meaning or construction thereof.

#### Times of Opening

6. Except with the previous written consent of the Council the premises shall not be open to the public before 9.30 a.m. and shall not be kept open after 9.30 p.m.
7. Except with the previous written consent of the Council the premises shall not be open on Sundays or any Bank Holidays or any public holidays.

#### Conduct and Management of Sex Establishments

8. 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.
9. The licensee or some responsible person nominated by him in writing for the purpose of managing the premises in his absence and of whom details (including name, address, age, sex, criminal convictions plus photograph) have been supplied to and approved in writing by the Council shall be in charge of and upon the licensed premises during the whole time they are open to the public.
10. The name of any sales person or any other person employed who would deal with the public in any way must be sent to the Council for its approval together with the details required in the above paragraph, including a photograph and any other requirement made by the Council.
11. The name of the person responsible for the management of the sex establishment to be the licensee or a manager approved in writing by the Council shall be displayed upon the main entrance to the premises throughout the period during which he is responsible for the conduct of the premises.

Note : The assistance of the police may be used by the Council for approving the persons referred to in paragraphs 9, 10 and 11 above.

12. 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 business. 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.
13. The licensee shall retain control over all parts of the premises and shall not let, license or part with possession of any part of the premises.
14. The licensee shall maintain good order in the premises.
15. R18 videos may only be supplied from a catalogue that must be requested by a member of the public. The catalogue must be kept out of sight of the customers when not in use. No details of R18 videos available from the catalogue shall be shown on the premises.
16. A sign incorporating letters not more than 50mm in height may be displayed within the premises stating "R18 videos are available for supply. Please ask a member of staff for the catalogue."
17. No R18 videos shall be publicly displayed within the premises.
18. No person under the age of 18 shall be employed in the business of the establishment.
19. No person under the age of 18 shall be allowed access to the R18 catalogue or R18 videos available within the premises.
20. 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.
21. No part of the premises shall be used by prostitutes (male or female) for the purposes of solicitation or of otherwise exercising their calling.
22. The licensee shall ensure that no employee or other person shall seek to obtain custom for the sex establishment by means of personal solicitation outside or in the vicinity of the premises.
23. The licensee shall comply with all statutory provisions and any regulations made thereunder.
24. 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.
25. A video sex shop shall be conducted for the purpose only of the supply of videos by retail.
26. No change of use of any part of the premises from that approved by the Council shall be made until the Council's consent in writing has been obtained thereto.
27. No change from a video sex shop to a sex shop or from a video sex shop to a sex cinema shall be effected without the consent in writing of the Council.
28. 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, loaned, displayed or demonstrated in a video sex shop.

Goods available  
in sex establish-  
ments

29. All R18 videos offered for supply within the premises shall be clearly marked in the catalogue to show to persons consulting the catalogue the respective prices being charged for hire or loan.
30. All R18 videos offered for supply shall be available for inspection prior to purchase and a notice to this effect is to be prominently displayed within the premises.
31. No video film shall be supplied unless it has been passed by the British Board of Film Classification and bears a certificate to that effect.

External  
Appearance

32. No display or advertisement or any matter shall be exhibited so as to be visible from outside the premises in relation to the supply of R18 videos except:-
  - (i) Any notice required to be displayed by law and / or approved by the Council.
  - (ii) The trading name of the operator of the video sex shop or sex cinema, such trading name not to include any sexually explicit wording or implication.
  - (iii) A sign incorporating letters not more than 50 mm in height bearing the inscription "Video Sex Shop" or similar phrase approved by the Council.
  - (iv) Notice of opening hours.
  - (v) Any regulatory or warning notice approved by the Council.
  - (vi) A copy of the licence.

No such signs or notices shall be illuminated in any other way than to provide illumination during hours of darkness to the satisfaction of the local authority.

33. No R18 videos or advertisements for R18 videos shall be visible from the outside of the shop.

Condition  
and Layout  
of Premises

34. The premises shall be maintained in good repair and condition.
35. 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.
36. The number, size and position of all doors or openings provided for the purposes of the ingress and egress of the public shall be to the satisfaction of the Council.
37. The licensee shall make provisions in the means of access both to and within the premises for the needs of members of the public visiting the premises who are disabled.
38. 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 written approval of the Council.
39. All parts of the premises shall be kept in a clean and wholesome condition to the satisfaction of the Council.

Safety

40. The licensee shall take all reasonable precautions for the safety of the public and employees.
41. The licensee shall comply with any fire prevention and safety measures that may be required of him by the Council.
42. 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.