

Conditions of Licence Relating to Sex Shop

General

In the event of a conflict between these regulations and any special conditions contained in a licence relating to a sex shop the special conditions shall prevail.

The Vale of Glamorgan Council reserves the right to amend, delete or add conditions at any time if deemed appropriate.

The grant of a licence for a sex shop 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. Whilst utilising the licence the licence holder shall take into account any legislation that impinges on the activities proposed.

The holder of a sex shop licence shall observe such regulations and conditions as may be approved by the Vale of Glamorgan Council from time to time and shall be applied by the Vale of Glamorgan Council by special condition to the sex shop licence. The approved regulations and conditions shall have the same force and effect as if the same were severally contained in these regulations.

Times of operation

The premise shall operate in accordance with the specified times on the licence.

Licensee / Responsible Person

Where the Licensee is a body corporate or an unincorporated body any change of Director/Company Secretary or any other person responsible for the management of the body is to be notified to the Vale of Glamorgan Council within 14 days of such change and such written details as the Vale of Glamorgan 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 Vale of Glamorgan Council.

The Licensee or some responsible person nominated by him in writing for the purpose of managing the sex shop in his / her absence and of whom details (including photographs) have been supplied to and approved in writing by the Vale of Glamorgan Council shall be in charge of and upon the premises during the whole time they are open to the public.

The name of the person responsible for the management of a sex shop be he / she the licensee or a manager approved by the Vale of Glamorgan Council shall be prominently displayed within the sex shop throughout the period during which he / she is responsible for its conduct.

No person previously convicted of:

- an offence connected to a sex shop either licensed or unlicensed
- a sexual offence
- an offence relating to the sale of restricted 18 videos may be employed at the premises or be involved in supplying entertainment or goods at the premises.

The licensee and a responsible person shall maintain a daily register to be kept on the premises in which he / she shall record the name and address of any person who is to be responsible for managing the sex shop in the absence of the licensee.

The register must contain the name and an address of those employed in the sex shop and is to be completed each day and is to be available for inspection by the Police and by authorised officers of the Vale of Glamorgan Council.

Premises

The Licensed premises shall not be used for any purpose other than the business of a sex shop.

Copies of the licence and the conditions attached to the licence shall be clearly displayed so that every person entering the premises can see a copy of both the licence and the conditions.

The Licensee shall retain control over all portions of the premises and shall not let, licence or part with possession of any part of the premises.

Any charge for entering the premises shall be clearly and legibly displayed outside the premises so that all persons can read it before entering the premises.

No display, advertisement, word, letter, model, sign, placard, board, notice, device, representation, drawing, writing or similar matter shall be displayed outside the premises without the written permission of the Vale of Glamorgan Council, except for those signs or notices that are required to be displayed by these licence conditions.

The entrance to the premises shall be so designed and constructed as to prevent persons outside the premises having a view of the interior.

All windows must be dressed or designed so as to prevent persons outside the premises having a view of the interior.

No window shall contain any sign, advertising material, goods or display likely to cause an offence to persons passing the window.

Lighting in all parts of the premises must be in operation continuously during the whole time the premises are open as a sex shop.

The premises shall be maintained in good repair and condition.

All parts of the premises shall be kept in a clean and hygienic condition to the satisfaction of the Vale of Glamorgan Council.

Doors and openings which lead to parts of the premises which are not open to the public shall be clearly marked "staff only" or by some other sign that deters the public from using such doors or openings.

The external doors to the sex shop shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.

Warning signs as specified in the Indecent Displays (Control) Act 1981 must be clearly exhibited at the entrance to the premises.

No change of use of any portion of the premises from that approved by the Vale of Glamorgan Council shall be made until the consent of the Vale of Glamorgan Council has been obtained thereto.

No change from use as sex cinema to a sex shop or from a sex shop to a sex cinema shall be effected without the consent of the Vale of Glamorgan Council.

Conduct & Management

The licensee shall maintain good order on the premises at all times.

No person under 18 years of age shall be admitted on the premises.

The licensee shall ensure that the premises are not used by prostitutes (male or female) for soliciting or any immoral purpose.

Neither the licensee nor any other person shall seek to obtain custom for the sex shop by means of personal solicitation outside or in the vicinity of the establishment.

No leaflet, card, paper, advertising sheet or similar matter promoting the establishment or any goods or service offered by the establishment shall be distributed in the vicinity of the establishment, unless authorisation/consent is first granted in writing by Vale of Glamorgan Council.

The licensee shall make staff available to ensure good order and free passage for customers on access and egress routes and car parks belonging to the licensee.

The licensee shall prevent the sale, display for sale or offer for sale of any article, goods or service on access or egress routes and car parks belonging to the licensee.

No dancing or other entertainment of a like kind shall be provided or permitted unless authorised by the Vale of Glamorgan Council.

Goods available in Sex Shops

Only merchandise which is legally available in Great Britain from retail outlets, mail order companies or party planners may be sold, hired, loaned or supplied, displayed, advertised or demonstrated at the establishment.

No film or video shall be exhibited, sold, hired, loaned or supplied unless it has been (a) passed by the British Board of Film Classification and bears a certificate to that effect or (b) approved by the Vale of Glamorgan Council and complies with the Video Recordings Act 1984 and it is a reproduction authorised by the owner of the copyright.

The licensee shall without charge, display and make freely available literature and contact names and telephone numbers of organisations and associations that give advice and counselling on matters relating to sexual problems, family planning and sexually transmitted diseases.

All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase, hire, exchange or loan.

Signage

Signs must be displayed at the entrance to the premises stating:-
“No persons under the age of 18 shall be admitted to the premises”.

Warning signs as specified in the Indecent Displays (Control) Act 1981 must be clearly exhibited at the entrance to the premises.

The warning notice shall not be adequate for the purposes of this section unless it complies with the following requirements—

(a) The warning notice must contain the following words, and no others—

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

(b) The word “WARNING” must appear as a heading.

(c) No pictures or other matter shall appear on the notice.

(d) The notice must be so situated that no one could reasonably gain access to the shop or part of the shop in question without being aware of the notice and it must be easily legible by any person gaining such access.

A sign must be displayed within the premises stating:-

“All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase, hire, exchange or loan.”