



DERRY CITY COUNCIL

The Local Government (Miscellaneous Provisions) (NI) Order 1985 – Article 4 & Schedule 2

Application For Grant/Renewal/Transfer of a Sex Establishment Licence

To be completed if the Application is made by an individual

Title: _____ Forename(s): _____

Surname: _____

Previous surname (if applicable): _____

Date Of Birth: ____ / ____ / ____ National Insurance No: _____

Home Address: _____

Post Code: _____ Telephone no: _____

Mobile telephone no: _____

Previous Home Address (within last five years): _____

Post Code: _____

To be completed if the Application is made by a body corporate or an unincorporated body

Full name of the body: _____

Address of registered or principal office: _____

Post Code: _____ Telephone no: _____

Full names and private addresses of the directors or other persons responsible for its management

Name: _____

Address: _____

Postcode: _____

Name: _____

Address: _____

Postcode: _____

Name: _____
 Address: _____

 Postcode: _____

Name: _____
 Address: _____

 Postcode: _____

Continue on a separate sheet if necessary

To be completed where the Application relates to premises

Full Address of premises: _____

Postcode: _____

To be completed where the Application relates to a vehicle, vessel or stall

Description of receptacle to be used (vehicle, vessel, trailer, stall):

If vehicle or trailer give registration mark: _____

Maximum dimensions of receptacle

Length × Width (Give in Metres)

Location(s) where vehicle, vessel or stall is to be used as a sex establishment

Continue on a separate sheet if necessary

I/we* hereby apply to Derry City Council for the grant/renewal/transfer* of a licence to use the above premises, vehicle, vessel or stall as a sex establishment.

SIGNED _____ **DATE** _____

(N.B. Any person who, in connection with this application, makes a false statement which he knows to be false in any material respect or which he does not believe to be true, shall be guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.)

 * Delete as appropriate



DERRY CITY COUNCIL

PLEASE READ THE FOLLOWING IMPORTANT INFORMATION

Please find enclosed: -

1. Two Sex Establishment Licence application forms which should be completed and returned. These application forms must be completed in **BLOCK LETTERS**.
2. A form of Public Notice to be advertised by the applicant(s). This must be advertised in at least two newspapers circulating in the District within seven days of the date of application (*Derry Journal, Derry News, Belfast/North West Telegraph or Londonderry Sentinel*). Copies of each newspaper advertisement must be sent to the Council.
3. A form of Public Notice which is to be displayed on or near the premises and in a place where it can conveniently be read by the public for twenty-one days beginning with the date of application. Where the application relates to a vehicle, vessel or stall, the Public Notices shall specify where it is to be used as a Sex Establishment.
4. Forms of consent to obtain details of any previous convictions. If the Application is made by a body corporate or an unincorporated body, a form should be completed by each of the directors or other persons responsible for its management

A licence shall not be granted to –

- (a) a person under the age of 18;
- (b) a person who has been disqualified from holding such a licence;
- (c) a person, other than a body corporate, who is not resident in the EEA, or was not so resident throughout the period of six months immediately preceding the date of the application; or
- (d) a body corporate which is not incorporated in the EEA.

No appeal, other than on questions of fact, exists against a refusal on any of these grounds.

An application may be refused if –

- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- (b) the business to which the application relates would be managed by, or carried on for the benefit of, a person, other than the applicant, who would be refused a licence if he made the application himself;
- (c) the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number (which may be nil) which the authority consider is appropriate for that locality; or
- (d) it would be inappropriate to grant the application, having regard to -
 - (i) the character of the relevant locality;
 - (ii) the use to which any premises in the vicinity are put; or
 - (iii) the layout, character or condition of the premises concerned.

An appeal lies to the county court against a refusal on ground (a) or (b), but no appeal lies

against a refusal on ground (c) or (d).

Licences may be issued for not more than a year and may be subject to such terms, conditions and restrictions as may be specified. Provision is made in the Schedule for the renewal, transfer, revocation and cancellation of licences and for the variation of terms, conditions or restrictions. Licensed premises may be inspected at any reasonable time by a constable or an authorised officer of the Council.

The Council may waive the requirement for a licence in any case where they consider that to require a licence would be unreasonable or inappropriate.

The fees charged by Derry City Council are currently

1. For the grant of a licence: £3,000 with a refund of £500 on refusal (the £500 is retained to cover monitoring costs if the licence is granted);
2. For the renewal of a licence: £1000 fee with £500 refunded on refusal; and
3. For the transfer of a licence: £375 fee.

If you require any assistance in completing your application, the Licensing Office will be only to pleased to assist you, please telephone **028 7136 5151** ext. **6753**

This form should be completed and returned to the Licensing Officer, Derry City Council, 98 Strand Road, Derry, BT48 7NN.

Note: Derry City Council may be required to disclose information supplied to other statutory bodies.

PUBLIC NOTICE

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985

Article 4 and Schedule 2

Notice is hereby given that I/We, *(delete as appropriate)*

(Name of Applicant) _____

of *(Applicant's Address)* _____

have today applied to the Derry City Council for the Grant/ Renewal/ Transfer *(delete as appropriate)*
of a Sex Establishment Licence in respect of

(Identify the premises or where the Application relates to a vehicle, vessel or stall, specify where it is to be used as a Sex Establishment)

Any person wishing to make representation in relation to this Application shall give notice to the Council stating in general terms the nature of the representation, not later than 28 days after the date of the application.

Dated this day of 20 .

SIGNED _____ (APPLICANT)

PUBLIC NOTICE

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985

Article 4 and Schedule 2

Notice is hereby given that I/We, (*delete as appropriate*)

(*Name of Applicant*) _____

Of (*Applicant's Address*) _____

have today applied to the Derry City Council for the Grant/ Renewal/ Transfer (*delete as appropriate*) of a Sex Establishment Licence in respect of

(*Identify the premises or where the Application relates to a vehicle, vessel or stall, specify where it is to be used as a Sex Establishment*)

Any person wishing to make representation in relation to this Application shall give notice to the Council stating in general terms the nature of the representation, not later than 28 days after the date of the application.

Dated this _____ day of _____ 20 .

SIGNED _____ (APPLICANT)

(Notice to be displayed on or near the premises and in a place where it can conveniently be read by the public for twenty-one days beginning with the date of application or where the application relates to a vehicle, vessel or stall, the Public Notice shall specify where it is to be used as a Sex Establishment.)