

2. TO BE COMPLETED IF COMPANY OR PARTNERSHIP																																																													
(a) Full Name of Company or Partnership																																																													
(b) Company Registration Number	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																																																												
(c) Address of Principal Office (including postcode)																																																													
(d) Corporation Tax Reference Number. OR Partnership Tax Reference Number	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td colspan="20"></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																																																												
(e) Daytime telephone number																																																													
(f) Full names (including middle names), private addresses (including postcode) and dates of birth of directors, partners or other persons responsible for its management																																																													
(g) Full name (including middle names), home address (including postcode) and date of birth of employee to carry on day-to-day management of the business (including Business Hours Telephone Number)																																																													
3. Name and address of premises for which a licence is required.																																																													
4. Days and hours during which it is proposed to trade. (Max 10 am to 9 pm daily)																																																													
5. Is Planning Consent in force?	YES/NO (delete as appropriate)																																																												
6. Have you been refused a similar licence in the last year?	YES/NO If yes, give dates																																																												
7. Have you been convicted of any offences or have you been issued with any Fixed Penalty Notices?	YES/NO If YES, give details below. NB Details of ALL CONVICTIONS AND FIXED PENALTIES (CRIMINAL AND ROAD TRAFFIC) including spent convictions must be given.																																																												

Details of Convictions and Fixed Penalty Notices

ALL CONVICTIONS AND FIXED PENALTIES (CRIMINAL AND ROAD TRAFFIC) INCLUDING SPENT CONVICTIONS MUST BE LISTED EVEN IF THEY HAVE BEEN PREVIOUSLY DISCLOSED ON A PRIOR APPLICATION FORM

<u>Date</u>	<u>Court</u>	<u>Crime/Offence</u>	<u>Penalty</u>

I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.

Delete (A) or (B) as appropriate. Where declaration (A) is made a Certificate of Compliance with Paragraph 7 of Schedule 2 to the Civic Government (Scotland) Act 1982 must be produced in due course. (See notes).

(A) I declare that I shall, for a period of 21 days commencing with the date hereof, display at or near the premises so that it can conveniently be read by the public, a note complying with the requirements of Paragraph 7 of Schedule 2 of the Civic Government (Scotland) Act 1982. (See Note 2).

or

(B) I declare that I am unable to display a notice of this application at or near the premises because I have no rights of access or other rights enabling me to do so, but that I have taken the following steps to acquire the necessary rights, namely:- (*Here specify steps taken*)

but have been unable to acquire those rights.

(C) I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.

DATA PROTECTION ACT 1998 - YOUR PERSONAL DATA

Dundee City Council respects your personal information and undertakes to comply with the Data Protection Act 1998. The personal data you have provided will be used to process the application in terms of the Act stipulated on this form. Your data may be disclosed to Tayside Police and other Council departments involved in the processing of the application and elected members when considering the application. The data (with the exception of details of any convictions) will also be kept in a register which is open to public inspection. Dundee City Council is the registered Data controller. Any queries regarding the processing of your personal data by Dundee City Council should be directed to the Principal General Services Officer, on (01382) 434000. A copy of the Council's Data Protection Policy can be obtained by writing to the Principal General Services Officer, 21 City Square, Dundee DD1 3BY.

Date:

Signature

Applicant/Agent

Address of Agent (if any)

NB Any person who in or in connection with the making of this application makes any statement which he knows to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500.

Lodging of Application

This application can be lodged at the Licensing Office, 18 City Square or Dundee House, North Lindsay Street, Dundee.

The Licensing Office cannot accept cash payments or payment by card. Cheques are accepted. Anyone lodging a form here and wishing to pay by cash or card will be issued with an invoice which will have to be paid at Dundee House.

All forms of payment can be accepted at Dundee House.

The fee is £235 which is non-refundable.

NOTES:

1. In terms of paragraph 7 of Schedule 2 to the Civic Government (Scotland) Act 1982 you will require to advertise this application in the Evening Telegraph. The form of the advert is enclosed.
2. In terms of the Civic Government (Scotland) Act a Notice in the prescribed form must be prominently displayed on the premises for a period of 21 days from the date the application is lodged with the local authority. (Copy Notice enclosed).
3. A Certificate of Compliance requires to be produced confirming that the steps at (A) or (B) above have been carried out. (Copy Certificate enclosed).
4. Applicants for new Sex Shop Licences are asked to note that the premises for which the application is being made may not have the benefit of planning consent for the proposed use.
5. Failure to have the necessary planning consent may result in a delay in the processing of your application.
6. It is in your interests, therefore, to check with the Planning and Transportation Department, Dundee House, 50 North Lindsay Street to ensure that you have the necessary planning consent and if not to make the appropriate planning application.
7. DVLA Licence details are required by Tayside Police to complete background checks on the applicant.
8. Unique Tax Reference Number
Persons who operate their own business must register as self employed with HMRC within 3 months of setting up the business or they may be subject to a fine. Applicants will be issued with a 10 Digit Unique Tax Reference (UTR) Number that will remain with them for life. You will require to lodge original correspondence from HMRC which quotes your 10 digit UTR when lodging the application. If you do not have this your application will be processed but will not be considered competent until such time as correspondence from HMRC is produced. It takes HMRC no more than six weeks to issue the UTR. If after your background checks are back you have still to produce your UTR you will be given a temporary licence only. This will run for a maximum period of six weeks and will then expire. This will afford you a final chance to register with HMRC. Thereafter if you have not produced the UTR your application will go before the next available Licensing Committee at which members will be asked to decide if your application is incompetent. If they decide that the application is not competent it will not be considered and will fall. If you still wished to proceed with your application you would need to apply again and pay the fee. There is no appeal to the Sheriff in these circumstances. You can register as self employed in person at the Tax Office at the Greenmarket, Dundee or by telephoning 0845 302 1484.

Anyone who works for another individual or company and who are not self employed ie they receive a wage and are liable to pay tax through the PAYE system need not register with the Inland Revenue but will have to submit evidence to this effect i.e. a payslip or P60.

9. National Insurance Number
You can find this on payslips or letters from the Department for Works & Pensions or HM Revenue & Customs.

We may need to see proof of your identity and National Insurance Number.

10. Process

The Committee will firstly define the relevant locality of the Sex Shop and thereafter determine the number of sex shops for that locality. Thereafter the Committee will have regard to the character of the relevant locality including whether:-

- (a) the premises are in a residential area;
- (b) the premises are in a main shopping area;
- (c) the premises are in an area of historical importance;
- (d) the grant of a licence will cause a detrimental change to the locality;
- (e) the premises are on a thoroughfare used by children; and
- (f) the premises are in an area with sensitive issues.

11. Conditions

In the case of any applications granted the undernoted conditions will be attached:-

1. The hours of opening be restricted to 10 am to 9 pm daily.
2. No persons under the age of 18 years shall be admitted to the premises or employed in the business of the establishment.
3. No display, advertisement, signage or other matter shall be exhibited so as to be visible from outside of the premises except:-
A notice bearing:
 - (i) The inscription "Sex Shop";
 - (ii) The name, style or title to be approved by the Council;
 - (iii) The hours of opening.
4. The licence holder or the manager named in the licence shall be in charge of and upon the licensed premises during the whole time they are open to the public.
5. The licence holder shall retain control over all portions of the premises and shall not let out, or part with possession of any part of the premises during the currency of the licence.
6. Any fire and rescue officer, police constable or authorised officer of the Council shall be permitted free access to the whole of the premises at any time and all reasonable directions and requirements of such officers or of the Council must be complied with.
7. The licence, or a copy thereof, shall be exhibited on the premises and shall be available for inspection at all times.
8. The external door shall be fitted with an effective self-closing device and remain closed at all times other than when a person is passing through it.
9. The licence holder shall maintain good order in the premises and shall ensure all music is controlled to the satisfaction of the Head of Environmental Health and Trading Standards to ensure no nuisance is caused to neighbouring occupiers.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

APPLICATION FOR A SEX SHOP LICENCE

NOTICE FOR DISPLAY ON THE PREMISES

NOTICE IS HEREBY GIVEN that application has been made on to Dundee City Council for a Sex Shop Licence in respect of premises at

the hours of operation of which are

by:- **NAME AND ADDRESS**

DIRECTORS' NAMES AND ADDRESSES
(if appropriate)

DAY TO DAY MANAGER ADDRESS
(if appropriate)

Any objections or representations in relation to the application should be made to the Depute Chief Executive (Support Services), Dundee City Council, 21 City Square within 28 days of the above mentioned date. Objections or representations should be made in accordance with the following provisions, namely:-

1. Any objection or representation relating to an application for the grant or renewal of a licence shall be entertained by the Licensing Authority if, but only if, the objection or representation -
 - (a) is in writing;
 - (b) specifies the grounds of the objection or, as the case may be, the nature of the representation;
 - (c) specifies the name and address of the person making it;
 - (d) is signed by him or on his behalf;
 - (e) was made to them within 28 days of whichever is the later or, as the case may be, latest of the following dates:-
 - (i) where public notice of the application was given in a newspaper, the date when it was first so given;
 - (ii) where Dundee City Council have required the applicant to display the Notice again from a specified date; that date;
 - (iii) in any other case, the date when the application was made to them.
2. Notwithstanding (1)(e) above, it shall be competent for a Licensing Authority to entertain an objection or representation received by them before they may take a final decision upon the application to which it relates if they are satisfied that there is sufficient reason why it was not made in the time required.
3. An objection or representation shall be made for the purposes of (1) above if it is delivered by hand within the time there specified to the Licensing Authority or posted (by registered or recorded post) so that in the normal course of post it might be expected to be delivered to them within that time.
4. Dundee City Council shall give notice of the general terms of the objection or representation to the applicant but shall not without the consent of the person making the objection or representation reveal his name or address to the applicant.



CIVIC GOVERNMENT (SCOTLAND) ACT 1982

CERTIFICATE OF COMPLIANCE

SEX SHOP

I,
applicant for a Sex Shop Licence, hereby certify that a Notice has been posted at or near the premises at
from _____ to _____
containing such information as is required by paragraph 7 of Schedule 2 to the above Act.

*Where the said Notice was removed, obscured or defaced during the above mentioned period, I took
reasonable steps for its protection and replacements as follows:-

(give details and circumstances)

Date: Signature:

* Delete if not applicable