Sex Establishments are defined by schedule two of the Local Government (Miscellaneous Provisions) Act 1982. Each category of licensed premises permits the following activities:

- Sex shop - sell, hire, exchange, lend display or demonstrate sex articles or other things that are 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
- Sex cinemas - show films that are primarily for the portrayal of sexual activity or acts of force or restraint which are associated with sexual activity with the intention of sexually stimulating customers
- Sexual entertainment venues - provide sexual entertainment (e.g. lap dancing, peep show, live sex show, strip show, etc) to a live audience for financial gain of the organiser or the entertainer.

**Relevant legislation**

The power to licence sex establishments is conferred in Schedule 3 (http://www.legislation.gov.uk/ukpga/1982/30/schedule/3) of the Local Government (Miscellaneous Provisions) Act 1982 (http://www.legislation.gov.uk/ukpga/1982/30). This schedule sets out the meaning of sex shops and sex articles and also defines the licensing and compliance requirements.

Since the 1982 Act was created there have been some additional legislation that has amended the 1982 Act to add further categories of sex establishments or amend provisions of the original Act:

- Provision of Services Regulations 2009 (http://www.legislation.gov.uk/uksi/2009/2999/contents/made) - permits electronic applications and relaxed the restrictions on applicants from outside the UK

**Application for sex establishment licence**

- [Apply to change a sex establishment licence](https://www.gov.uk/apply-for-a-licence/sex-shop-and-cinema-licence/peterborough/change-1)
- [Make an additional payment relating to a submitted application](https://www.gov.uk/apply-for-a-licence/miscellaneous-payments/peterborough/pay-for-1) Please note, when making an additional payment please remember to quote the reference number given and ensure that you only pay the amount requested.

Applications must contain any information we require, as well as the applicant’s name, address and, where the applicant is an individual, their age, plus the address of the premises.

Applicants must give public notice of their application by publishing an advertisement in a local newspaper.

**Fees**
Application for a new licence £2,575 as itemised below, payable to Peterborough City Council and conditions may be attached:

- payable on application £1,575
- payable on grant of licence £1,000
- vary an existing licence £495
- renew or transfer a licence £725

**Qualifying criteria**

A Sex Establishment is regulated by the [Local Government (Miscellaneous Provisions) Act 1982](http://www.legislation.gov.uk/ukpga/1982/30) and licence holders must ensure they comply with legislation. An applicant:

- must be at least 18 years old
- must not be disqualified from holding a licence
- must not have been refused the grant or renewal of a licence for the premises in question within the last 12 months unless the refusal has been reversed on appeal
- must be resident in an EEA state and has been resident for a period exceeding six months immediately proceeding the date of application.

**Will tacit consent apply?**

No. It is in the public interest that we must process your application before it can be granted. If you have not heard from us within 35 days, please contact us.

**Failed application redress**

Please contact us in the first instance. Any applicant who is refused a licence, or refused the renewal of a licence, may, within 21 days of being notified of the refusal, appeal to the local magistrates' court. However, the right to appeal does not apply where the licence was refused on the grounds that:

- the number of sex establishments in the area exceeds the number which the authority consider is appropriate
- the grant of the licence would be inappropriate considering the character of the area, the nature of other premises in the area, or the premises themselves.

**Licence holder redress**

A licence holder who wishes to appeal against a condition can appeal to a local magistrates' court. A licence holder may also appeal to the crown court against a decision of a magistrates’ court.

Licence holders may apply to us for a variation of the terms, conditions or restrictions in their licence at any time. If an application for a variation is refused, or if the licence is revoked, the licence holder may, within 21 days of being notified of the imposition of, or the refusal to vary, the term, condition or restriction in question, or of the revocation, appeal to the local magistrates’ court.

**Other redress**

Any person objecting to an application for the grant, renewal or transfer of a licence may give written notice of their objection to us, stating the grounds of the objection, within 28 days of the date of the application.

If you have any issues regarding a sex establishment for example complaints relating to; noise, pollution or possible non
compliance with regulations, or if one trader wishes to complain about another, please contact us for help and advice.

**Contact the licensing team**

If you require further information or guidance, please contact our licensing team by calling 01733 453491 or by email at licensing@peterborough.gov.uk.