

Appendix 2

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, SECTION 2

APPLICATION FOR THE RENEWAL OF A LICENCE TO USE ANY PREMISES, VEHICLE, VESSEL OR STALL AS A SEX ESTABLISHMENT



1. Is the application being made:
 - (a) by an individual; or
 - (b) on behalf of a partnership; or
 - (c) a body corporate? **A BODY CORPORATE**

2. Give the full names of the applicant (i.e. the individual, partnership, body corporate or unincorporated body making application). If the applicant is an individual any former names must also be given.
DARKER ENTERPRISES LIMITED

3. Give the applicant's permanent home address (if an individual) or registered or principal office (if a partnership, body corporate, or unincorporated body) and a telephone number at which the applicant may be contacted during normal office hours.
**REGISTERED OFFICE
UNIT C, 26 THAMES ROAD
BARKING, ESSEX IG11 0JA
Tel: 020 8591 8517**

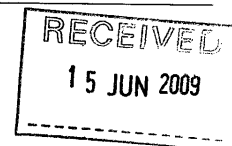
4. Is the application in respect of a sex shop or a sex cinema?
SEX SHOP

5. Is the application in respect of
 - (a) premises; or **PREMISES**
 - (b) a vehicle; or
 - (c) a vessel; or
 - (d) a stall?

6. Where the Licence is sought in respect of a vehicle, vessel or stall state where it is to be used as a sex establishment.
N/A

7. Where the Licence is sought in respect of premises give the full address of the premises, including the postcode.
GROUND FLOOR, 16 HANOVER BUILDINGS, SOUTHAMPTON, SO14 1JA

8. Are the whole of the premises described in response to Question 7 above to be used as a sex establishment?
YES



9. If the answer to Question 8 above is "No" please state

- (a) which parts of the premises are to be used for the purposes of a sex establishment;
N/A
- (b) the uses to which the remainder of the premises are to be put;
N/A
- (c) the names, addresses and dates of birth of those who are responsible for the management of the remainder of the premises.

FIRST FLOOR (STORAGE)

THE APPLICANT
DARKER ENTERPRISES LIMITED, UNIT C, 26 THAMES ROAD,
BARKING, ESSEX IG11 0JA

SECOND AND THIRD FLOORS

LCP REAL ESTATE LIMITED, LCP HOUSE, THE PENNETT ESTATE
KINGSWINFORD, WEST MIDLANDS DY6 7NA

10. Are the premises, vehicle, vessel or stall in use as a sex establishment at the date of this application?
NO

11. Were the premises, vehicle, vessel or stall in use as a sex establishment on 22nd December 1981?
NOT KNOWN

12. Under what names are or will the premises be known?
PRIVATE SHOP

13. If the applicant is an individual give the following information:

-
- (a) Date of birth; N/A
 - (b) Place of birth; N/A
 - (c) Nationality. N/A
-

14. If the applicant is a partnership, body corporate or an unincorporated body complete the table in respect of each of the Directors, the Company Secretary or other persons responsible for the management of the body. In the case of a partnership details of all the partners must be given.

Forename	Surname	Former name (if any)	Home Address	Capacity	Date of Birth	Place of Birth	Nationality
COLIN CHARLES	MASON	NONE	Please see envelope marked "PRIVATE & CONFIDENTIAL"	DIRECTOR	27.12.1954	SURREY UNITED KINGDOM	BRITISH
LIMETIME SERVICES LIMITED			UNIT L 26 THAMES ROAD BARKING ESSEX IG11 0JA	COMPANY SECRETARY	N/A	N/A	N/A

15. Complete the table below in respect of each of the individuals whose names are given in response to questions 2 and 14 above.

Names	Date of Birth	If place of birth is not within UK give date when UK residence commenced.	Address or permanent residence throughout six months immediately preceding the date of this application.
COLIN CHARLES MASON	27.12.1954	N/A	PLEASE SEE ENCLOSED ENVELOPE MARKED "PRIVATE & CONFIDENTIAL"

16. This question need only be answered where the applicant is a Company.
- (a) Is the applicant a wholly or partly owned subsidiary of another Company? YES
 - (b) What type of Company is the applicant (e.g. public or private limited by share or guarantee etc.?) PRIVATE LIMITED BY SHARE
 - (c) In which Country is the Company incorporated? UNITED KINGDOM
 - (d) What is the date of incorporation of the Company? 20 MAY 1986
 - (e) Supply a certified copy of the applicant Company's Memorandum and Articles.
ENCLOSED WITH APPLICATION FOR GRANT AND NOTHING HAS CHANGED
 - (f) If the applicant is a subsidiary of another Company give the following details and information:-
 - (i) A list of all other companies controlled by the holding company together with full details of any ultimate holding company.
 - (ii) A certified copy of the Memorandum and Articles of the parent company
 - (iii) The names and addresses of the Directors and Company Secretary of the parent company (use a separate sheet if necessary).
 - (i) THE HOLDING COMPANY, ROLDVALE TRADING LIMITED, IS THE ULTIMATE HOLDING COMPANY. IT ALSO CONTROLS ROLDVALE LIMITED.
 - (ii) SUPPLIED WITH APPLICATON FOR GRANT AND NOTHING HAS CHANGED
 - (iii) DAVID SULLIVAN – DIRECTOR
For private address please see enclosed envelope marked
"PRIVATE & CONFIDENTIAL"

CONEGATE LIMITED – COMPANY SECRETARY
RAMILLIES HOUSE
2 RAMILLIES STREET
LONDON W1V 7LN

17. If applicant is a company give a full list of names, addresses and holdings of shareholders holding 10% or more of the issued share capital and the number of remaining shareholders.

Name	Address	Date of Birth	Holdings
ROLDVALE TRADING LIMITED	RAMILLIES HOUSE 2 RAMILLIES STREET LONDON W1V 7LN	N/A	100%

18. Has the applicant a financial interest in the business which is the subject of this application? If 'yes' to what extent? **YES, OWNS THE BUSINESS**
-
19. Is the whole of the business owned by the applicant?
YES
-
20. If the whole of the business is not owned by the applicant state the names and addresses of those who will share in the profits of the business. In each case state the percentage share to be taken by each individual.
N/A
-
21. Is the applicant concerned in any other way financially or otherwise with any other business?
YES
-
22. If the answer to Question 21 is 'yes' give full details of the other business and the nature and extent of the connection. **THE APPLICANT OWNS AND OPERATES OVER 100 LICENSED SEX SHOPS NATIONWIDE**
-
23. Is the business required to purchase merchandise from a particular company, person or body? If 'yes' supply a copy of any agreement and state what is to be purchased and from whom.
NO
-
24. Supply scale plans of the premises clearly showing the interior layout and the use of each part (see note C).
SUPPLIED WITH APPLICATION FOR GRANT AND NOTHING HAS CHANGED
-
25. What means are to be taken to prevent the interior of the premises being visible to persons outside the premises?
WHATEVER MEANS REQUIRED BY THE COUNCIL
-
26. Give details of the times during which it is proposed to open the premises:-
- (a) Days of the week **MONDAY to SATURDAY (inclusive)**
 - (b) Hours of the day **9:30 a.m. to 8:00 p.m.**
-

27. In respect of each individual who is to be responsible for the management of the premises in the absence of the licence holder please supply the following details:-

Forename	Surname	Former Name (if Any)	Permanent Home Address	Date of Birth	Place of Birth	Date upon which Became resident in the UK (if place of birth Outside UK)	Nationality
COLIN Director	MASON	NONE	Please see enclosed envelope marked "PRIVATE & CONFIDENTIAL"	27.12.1954	SURREY	SINCE BIRTH	BRITISH
IAN COLIN Area Admin Supervisor	BOWN	NONE	Please see above comment	2.8.1956	MILTON MOWBRAY	SINCE BIRTH	BRITISH
KELVIN Area Admin Supervisor	FLYNN	NONE	Please see above comment	28.1.1948	RUMNEY, WALES	SINCE BIRTH	BRITISH
NEIL VINCENT Full-time Sales Assistant		NONE	Please see above comment	12.6.1960	SOUTHAMPTON	SINCE BIRTH	BRITISH

THE FULL-TIME SALES ASSISTANT MANAGE THE PREMISES ON A DAY TO DAY BASIS. THE SUPERVISORY STAFF MEMBERS MAY BE AT THE PREMISES AS AND WHEN REQUIRED.

28. In respect of each of the persons whose names are given in response to Question 2, 14, 16 and 27 give details of their occupations during the 5 years immediately prior to this application. These must include the names and addresses of all employers and the nature and dates of employment.

Forename	Surname	Former name (if any)	Employers Name and Address	Description of nature of work
DAVID	SULLIVAN	NONE	ROLDVALE TRADING LIMITED RAMILLIES HOUSE 2 RAMILLIES STREET LONDON W1V 7LN	DIRECTOR APR 1980-PRESENT
COLIN CHARLES	MASON	NONE	DARKER ENTERPRISES LIMITED UNIT C, 26 THAMES ROAD BARKING, ESSEX IG11 0JA	DIRECTOR 7.2005-PRESENT
IAN COLIN	BOWN	NONE	LIMETIME SERVICES LIMITED UNIT L, 26 THAMES ROAD BARKING, ESSEX IG11 0JA	REGIONAL CO-ORDINATOR 1979-PRESENT
KELVIN	FLYNN	NONE	LIMETIME SERVICES LIMITED ADDRESS AS ABOVE	AREA SALES CO-ORDINATOR 27.2.1995-PRESENT
NEIL	VINCENT	NONE	LIMETIME SERVICES LIMITED ADDRESS AS ABOVE	AREA ADMIN. CO-ORDINATOR 18.12.2000-PRESENT
			DARKER ENTERPRISES LIMITED ADDRESS AS ABOVE	FULL-TIME SALES ASSISTANT 12.8.2008-PRESENT
			SCOTTISH POWER SOUTHAMPTON	SALES ADVISOR 7.7.2008-17.8.2008
			SAFESTILE UK SOUTHAMPTON	CANVAS MANAGER 2.2003-4.7.2008

29. In respect of each of the persons or bodies whose names are given in response to Questions 2, 14, 16, 17 and 27 give details of their previous convictions and of any previous convictions of any of their spouses:-

Forenames	Surname	Former Name	Date of Conviction	Place of Conviction	Nature of Offence	Sentence
<p>THERE ARE NO CONVICTIONS TO DECLARE FOR ANY PERSON OR BODY NAMED IN THIS RENEWAL APPLICATION. MEMBERS OF STAFF ARE NOT REQUIRED TO PROVIDE DETAILS OF SPOUSES TO THIS COMPANY.</p>						

30. Have you any reason to believe that a prosecution may be pending against any of the persons or bodies whose names are given in response to Questions 2, 14, 16, 17 and 27? If 'Yes' give full details.

NO

31. Has any person or body named in this application been associated in any way with any other application for a licence for a sex establishment?

YES

32. Is there in force against the applicant or any of the persons or bodies named in answer to Questions 14, 19, 27 and 29 a disqualification from holding a licence for a sex establishment under the Local Government (Miscellaneous Provisions) Act 1982? **NO**

If 'Yes' give full details.

33. Is there any further information which the applicant would wish the Council to take into account when considering this application?

NOT AT THIS STAGE

(This space may also be used to amplify any replies to other questions.)

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT, RENEWAL OR TRANSFER OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING £20,000.00

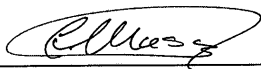
DECLARATION

WE, DARKER ENTERPRISES LIMITED

declare that the information given above is true and complete in every respect

Dated this 16TH day of JUNE 2009

Signature



Name of Signatory (BLOCK CAPITALS) COLIN CHARLES MASON

Designation of Signatory (BLOCK CAPITALS) **DIRECTOR**

For and on behalf of

DARKER ENTERPRISES LIMITED
(APPLICANT)

Applicants are strongly recommended to seek professional legal advice before making an application for a sex establishment licence. Please note that members of the Licensing Team are not able to give such advice to applicants in any circumstances.

APPLICANTS ARE REFERRED TO THE ATTACHED NOTES

PLEASE NOTE THAT THE APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING: -

- A. In respect of individual applicants and each of those named in response to Questions 15, 16 and 27 a birth certificate.
- B. Four copies of a passport size photograph in respect of the applicant (if an individual) and each of those whose names are given in response to Question 27. The photographs are to be signed and dated and bear the name in block capitals of the person whose likeness it bears.
- C. Five copies of scale plans of the premises in respect of which the licence is sought showing (inter alia) all means of entrance to and exit from the premises, parts used in common with any other building, and, if applicable, parts not used as a sex establishment but forming part of the same building, details of how the premises lie in relation to the street and the front elevation of the building.
- D. Where the business is conducted by or on behalf of a body corporate or unincorporated a certified copy of the Resolution authorising the application.
- E. Where the business is carried on by or on behalf of partners the written authority for an application of those partners who are not themselves applicants.
- F. If the applicant is a company the Memorandum and Articles of Association.
- G. if the application is being made on behalf of a partnership a certified copy of the partnership Deed.
- H. the non returnable application fee of **£ 7500.00**

PLEASE NOTE THAT BEFORE THE APPLICATION CAN BE CONSIDERED THE FOLLOWING ADDITIONAL DOCUMENTS MUST BE SUPPLIED:-

- 1. A complete copy of the newspaper circulating in the Council's area in which notice of the application has been published in accordance with paragraph 10(8) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982. Photostat copies of the newspaper will not be accepted.
- 2. Evidence of due service of a copy of the Application upon the Chief Constable of Hampshire Constabulary as required by paragraph 10(14) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act, 1982.
- 3. Evidence by Affidavit that the Notice of Application has been displayed on or near the premises as required by paragraph 10(10) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

All documents, including this application form, should be forwarded to:

By post:

The Licensing Team
Southampton City Council
PO Box 1344
Southampton
SO15 1WQ

Personal callers only:

The Licensing Team
Southampton City Council
Southbrook Rise
4-8 Millbrook Road East
Southampton
SO15 1YG