



Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	17 May 2012	B4	Bunhill

Delete as appropriate	Exempt	Non-exempt

**Subject: SEX ESTABLISHMENT LICENCE - Application for consent to change window display  
Urban XXX, 100 Old Street, London EC1V 4PA**

**1. Synopsis**

- 1.1 This is an application for consent to approve a change to the window display. This is specifically to allow the licensee to display two promotional advertisements.
- 1.2 Islington's "Standard Condition Applicable to Licences for Sex Shops", specifically 9 and 20, require any window display to be approved by the Council, furthermore no alterations to the exterior or interior can take place without prior consent of the Council.

**2. Recommendations**

- 2.1 To determine the request for consent to changes to the window display.

**3. Background**

- 3.1 The Licensing Service received a complaint in 2011 that the premises was displaying advertising notices in their shop window and had changed the trading name without consent. Following enforcement action by Licensing Officers, the notices were removed and the trading name reverted back to the approved names, "Urban XXX".
- 3.2 The owner of the business has reported that since removing the promotional notices their trade has been adversely affected. They are now seeking approval to reinstate two of the notices.

3.3 Papers are attached as follows:-

- Appendix 1: request email and proposed posters to be displayed;
- Appendix 2: Standard Conditions Applicable to Licences for Sex Shops;
- Appendix 3: current Sex Establishment Licence;
- Appendix 4: photograph of current shop front.

**4. Planning Implications**

4.1 The Planning Team have confirmed the request does not require planning approval.

**5. Conclusion and reasons for recommendations**

5.1 The Council is required to consider this request in the light of all relevant information.

**Background papers:**

Final Report Clearance

**Signed by**

Service Director – Public Protection



Date 27/4/12

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Simon Gallacher

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E-mail: [simon.gallacher@islington.gov.uk](mailto:simon.gallacher@islington.gov.uk)

Gallacher, Simon

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**From:** anil ertiryaki [anilertiryaki@yahoo.co.uk]  
**Sent:** 26 March 2012 17:59  
**To:** Gallacher, Simon  
**Subject:** Urban XXX licenced adult shop

**Attachments:** buy1get1free.jpg; 50%offspringspecial.jpg



buy1get1free.jpg (582 KB) 50%offspringspecial.jpg (526 K...

hello Simon;

As you discussed with my brother last week, im enclosing the sale promotions that i would like to put.

As you are aware, all my neighbourhood shops has promoting some kind of sale on their shopfront, and im no different than those shops. My shop is a retail shop and i need to boost my sales with the different promotions.

thanks for your understanding and i look forward to hear from you

Anil Ertiryaki

**SPRING  
SPECIAL**

up to

**50% OFF**

**Couples  
Toys**

(Selected items only)

**SPRING SPECIAL**

**BUY 1 DVD**

**GET 1 FREE!**

(On selected DVD's while stocks last)

Naughty <sup>USA</sup>



**STANDARD CONDITIONS APPLICABLE TO LICENCES FOR SEX SHOPS**

1. REGULATIONS made by the Islington Council in pursuance of the powers contained in paragraph 13 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, prescribing standard conditions applicable to licences for sex shop, "sex establishment" and "sex article" shall have the meanings ascribed to them in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and "the Council" means the Council of the London Borough of Islington.
2. In the event of a conflict between these conditions and any special conditions contained in a licence relating to a sex shop, the special conditions shall prevail.
3. The business shall be carried on only in the name, style or title specified in the licence and at the premises mentioned therein.
4. The licensee, whether a partner, company or other corporate or unincorporated body, shall notify the Council in writing, in the form prescribed by the Council, of any change in directors, trustees, partners or other persons concerned in the management of such company, partnership or corporate or unincorporated body, within fourteen days of such change.
5. The licensed premises shall not be opened for the purposes for which the licence is granted earlier than 9.30am and shall be closed not later than 8.00pm.
6. The premises shall not be opened on Sundays, Christmas Day or Good Friday.
7. The Council may also specify any other date on which the premises shall be closed provided that fourteen days notice in writing of such date must be given to the licensee.
8. No advertisement other than advertisements relating to other licensed sex establishments or relating to goods available from the premises shall be displayed inside the premises.
9. The interior of the premises shall not at any time be visible from outside and the window shall only bear a suitable display approved by the Council.
10. The following notice shall be displayed at the entrance to the premises such that no-one could reasonably obtain access to the premises without being aware of its contents:

Licensed Sex Shop

**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

11. No part of the premises shall be used by prostitutes for the purposes of solicitation or otherwise exercising their calling.
12. Neither the licensee nor any employee shall seek to obtain custom for the sex shop by means of personal solicitation outside or in the vicinity of the sex shop.
13. No goods likely to forfeiture under Section 3 of the Obscene Publications Act 1959 or Section 5 of the Protection of Children Act 1978 or likely to be condemned under Schedule 3 to the Customs and Excise Management Act 1979 by virtue of Section 42 of the Customs Consolidation Act 1896 shall be kept on the premises.
14. All sex articles and other things displayed within the premises shall be clearly marked to show to persons who are inside the premises the respective prices being charged.
15. The licensee shall not distribute any unsolicited goods or publicity.

16. The licensed premises shall be used only for the purposes specified in the licence.
17. No alcohol shall be consumed on the premises.
18. 18R classified videos/DVDs must not be sold by mail order or via the Internet.
19. A record shall be kept of mail order/Internet transactions in such form as agreed by the Council and all such transactions must comply with the Consumer Protection (Distance Selling) Regulations 2000.
20. The exterior and interior of the premises shall not be altered without the prior consent of the Council.
21. The licence is not transferable by the licensee.
22. The licensee must give written notice to the Council if s/he wishes to surrender the licence.
23. The licensee shall maintain good order and decent behaviour in the licensed premises and shall inform the Police immediately s/he becomes aware of any indecent conduct taking place or which is said to have taken place, in the premises.
24. The Council reserves the right to amend or alter these conditions without prior consultation with the licensee but will notify the licensee of any alterations.



Licence Number: LN/11593-240511

## SEX ESTABLISHMENT LICENCE

The Council of the London Borough of Islington, by virtue of the provisions of Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, hereby grant to

Full name of licensee: **Mr Anil Ertiyaki**

Address of licensee: **100 Old Street, London EC1V 9AY**

A licence to use the premises at: **100 Old Street, London EC1V 9AY**

As a sex shop for a period from **1<sup>st</sup> May 2011** until the last day of **30<sup>th</sup> April 2012**.

The premises shall be used only in conjunction with the following trade name, style or title:  
**Urban XXX**

A copy of this licence and the Council's standard conditions must be kept exhibited in the following place: **Urban XXX, 100 Old Street, London EC1V 9AY**

This licence is granted subject to the Council's standard conditions and to any special conditions indicated below:

25. That the video surveillance system on the premises be in operation during opening hours.

Islington Council  
Public Protection Division  
222 Upper Street  
London N1 1XR

Tel: 020 7527 3031  
Email: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

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Service Director - Public Protection

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Date of Issue



