

## Objection 51

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

20 March 2017

Dear Licensing Committee

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

This is an objection letter to the application for this licence and I call for the council to refuse it.

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

As Philip Kolvin (2010) cites the Royal Town Planning Institute's Gender and Spatial Planning Good Practice Note:

'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable' [1]

Kolvin continues with:

'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage' [2].

This is further corroborated by 2012 research published in Criminal Justice Matters which states that:

'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.' [3]

### **Location**

In its current policy, the Council states:

"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-

- a) a school, nursery or other premises substantially used by or for children under 16 years of age;

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated "knowledge gateway".

- b) a park or other recreational area used by or for children under 16 years of age;

There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club. The Club's presence deters many from using that space to its full potential.

- c) a church or other place of religious worship;

Christ Church Central operates from the Workstation and runs a weekly service.

- d) a Hospital, Mental Incapacity or Disability Centre or similar premises;

There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

- e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or

- f) a central gateway to the city or other city landmark, historic building or tourist attraction.

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

#### **Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council's equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

A sexual entertainment venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:

R (Bean Trading A Ltd) v Leeds City Council (2014)

It was held that a council can "take a fresh look" despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

'Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.'<sup>[4]</sup>

The case of *Thompson v Oxford City Council* (2014) was also supported at court of appeal, and the Council told they could "take a fresh look" at any application for renewal.

If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

**Please act to make Sheffield City Council a beacon of hope for women exploited by sexual exploitation by taking a stand against venues such as this.**

I look forward to hearing from you.

Yours Faithfully

[1] Kolvin, P (2010) Sex Licensing, The Institute of Licensing p.87

[2] Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in *Criminal Justice Matters*, 88:1, 10-12.

[3] Kolvin, P (2010) Sex Licensing, The Institute of Licensing p.87

[4] p. 90

## Objection 52

Dear Licensing Service Department

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

This is an objection letter to the application for this licence and I call for the council to refuse it.

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### The Public Sector Equality Duty and Gender Equality

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

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*'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'*[3]

### Location

In its current policy, the Council states:

*"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-*

a) a school, nursery or other premises substantially used by or for children under 16 years of age;

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated “knowledge corridor”.

b) a park or other recreational area used by or for children under 16 years of age;

There is the much underused recreational space (Festival Square) directly adjacent to the club. The Club’s presence deters many from using that space to its full potential.

c) a church or other place of religious worship;

Christ Church Central operates from the Workstation and runs a weekly service.

d) a Hospital, Mental Incapacity or Disability Centre or similar premises;

There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or

f) a central gateway to the city or other city landmark, historic building or tourist attraction.

The area which the club is in is marketed by the Council as the "Cultural Quarter" - it is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children’s media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

#### Additional grounds for refusal

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council’s equality policies and its equality duty. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes, for example the recent SheFest, the Equalities Hub within the community bringing Communities of Identity together to tackle equalities issues within the council and the city.

A sexual entertainment venue in the heart of the city is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

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## Objection 53

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
Sheffield  
S9 3HD

20<sup>th</sup> March 2017

Dear Licensing

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This is an objection letter to the application for this licence and I call for the council to refuse it.

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### The Public Sector Equality Duty and Gender Equality

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

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"... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club."(3)

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## Objection 54

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## **Additional grounds for refusal**

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[4] p. 90

## **Objection 55**

I in 3 women have suffered abuse and strip clubs just treat women as meat. It's disgusting. Please do not allow this!!!!

## Objection 56

### OBJECTION TO APPLICATION FOR A RENEWAL OF SEXUAL ENTERTAINMENT VENUE LICENCE From The Women's Equality Party, Sheffield Branch

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#### INTRODUCTION

1. On 22<sup>nd</sup> February 2017 Sonfield Developments Ltd, trading as Spearmint Rhino, submitted an application for a renewal of its Sexual Entertainment Venue (SEV) licence to Sheffield City Council. This relates to their premises at 60 Brown Street, Sheffield S1 2B.

#### LAW / REGULATIONS

2. The licensing of sexual entertainment venues is governed by Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 c. 30 ("LG(MP)A"). S. 12 of Schedule 3 provides as follows:
  - (2) Subject to paragraph 27 below, the appropriate authority may refuse—
    - (a) an application for the grant or renewal of a licence on one or more of the grounds specified in sub-paragraph (3) below;
    - (b) an application for the transfer of a licence on either or both of the grounds specified in paragraphs (a) and (b) of that sub-paragraph.
  - (3) The grounds mentioned in sub-paragraph (2) above are—
    - (a) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
    - (b) that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
    - (c) that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
    - (d) that the grant or renewal of the licence would be inappropriate, having regard—
      - (i) to the character of the relevant locality; or
      - (ii) to the use to which any premises in the vicinity are put; or
      - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
  - (4) Nil may be an appropriate number for the purposes of sub-paragraph (3) (c) above.
3. Sheffield City Council has also provided criteria for objections to applications for sexual entertainment venues including the following:

‘Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-

- a) a school, nursery or other premises substantially used by or for children under 16 years of age;

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- c) a church or other place of religious worship;
- d) a Hospital, Mental Incapacity or Disability Centre or similar premises;
- e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or
- f) a central gateway to the city or other city landmark, historic building or tourist attraction’.

## SUBMISSIONS

### Inappropriate having regard to the character of the relevant locality

4. 60 Brown Street, which is currently occupied by Spearmint Rhino, is significantly original in its design to be referred to in Pevsner’s guide, where it is also described as being within the Cultural Industries Quarter. It is situated some 100 yards from the junction with Howard Street and close to Sheffield train station. According to Pevsner the design of the building provides a ‘good foil to the Site Gallery’ opposite. It is imposing and stretches back to Arundel Lane. The building is next to a paved communal square that attracts families with small children mainly on weekends when the weather is good.
5. 60 Brown Street faces not just the Site Gallery but also the ‘Showroom and Workstation’ and Yorkshire Arts Space. These are three long established arts venues which host numerous events for people from all backgrounds including teenagers, each in substantial premises that dominate the area.
6. In 2014 the Site Gallery received substantial Arts Council funding to redevelop and expand its gallery space. It is internationally renowned and the gallery website refers to its work with young people:

‘Site Gallery provides new opportunities for young people in the region to engage with contemporary art through regular groups, one-off events, outreach activity and the creation of accessible interpretation resources. In 2016, with continued funding from the Paul Hamlyn Foundation, we launch a pioneering programme of artist-led outreach activity across Sheffield – On The Road. This new programme runs alongside the Society of Explorers our active group of 14 – 19 year olds. The group works closely with Platform artists to create their own artwork, to produce writing, film and photography about the residencies and to run public events’.

7. The continued presence of these three established arts organisation lends the area a significant character wholly out of step we submit with an immediately proximate and imposing Sexual Entertainment venue.
8. It may be argued by Sonfield Developments Ltd that Spearmint Rhino’s office type building, with its blackened windows, blends in with the local area and occupies a discrete position. We submit however that given the international reputation of the Spearmint Rhino brand, the design of the building only serves in that particular vicinity to normalise and entrench stereotypical and harmful attitudes to women. This is at a time when the Council and city generally are seeking to do the opposite and develop this particular area with very different principles in mind.
9. Sheffield City Region (SCR) in its recent prospectus has referred specifically to Brown Street as falling within the ‘Knowledge Corridor’.

‘Following the long-awaited renovation of the former head post office as Sheffield Hallam University’s Sheffield Institute of Arts (SIA), Sheffield City Council is planning to upgrade



the route from the Edwardian-era square along Pond Street to Paternoster Row and Brown Street, the focus of the Cultural Industries Quarter as well as improving connections to the city centre and station.

The project aims to help unlock major development opportunities at Sheaf Square, Site Gallery, the site of the former Nelson Mandela building, the former sorting office on Flat Street and the Digital Campus.

These developments will create the setting for more than 4,000 new jobs over the next five years. The project will also aim to address road safety issues, increase pedestrian areas and reduce the number of buses using the area, and encourage safer walking and cycling and create space for events and seating.

10. The Council has participated in the promotion of the SCR as it seeks to encourage investment in the city, create jobs and attract new industries. The SCR views job creation in the arts and in the creative industries as an integral part of its plans. However the credibility of those ambitions, and the prospects for development and expansion, are we submit undermined if these current and future arts projects are asked to continue sitting ‘cheek by jowl’ with a Sexual Entertainment Venue.
11. It should be noted that there are a number of other smaller enterprises associated with creative arts in the relevant vicinity.
12. In submitting this objection we accept that the licensing committee have to weigh up a number of competing interests including the job security of Sheffield employees of Spearmint Rhino and the expense of relocation. In that regard it must be remembered that the parent company, a worldwide organisation, has considerable resources at its disposal. A refusal to renew the licence would not have a significant impact on the company’s ability to continue its operations elsewhere.

Inappropriate having regard to the use to which any premises in the vicinity are put

13. While the main buildings for Sheffield Hallam University are situated on the other side of Howard Rd, 60 Brown Street is by no means on the edge of the University campus. It is surrounded by accommodation sites/halls of residence for Sheffield Hallam students as well as faculty buildings. The immediate vicinity is described as the ‘Science Park’. The rear of the building immediately faces student accommodation and is very close to Sheffield Hallam’s ‘Cantor Building’ which houses elements of the Faculty of Arts, Computing, Engineering and Sciences, as well as other campus facilities. It has a total floor space of 9500m<sup>2</sup>, houses over 240 staff and provides teaching space for more than 1600 students.
14. As a consequence Spearmint Rhino’s current site arguably occupies a unique position: a lap-dancing club within or immediately adjacent to a prestigious University Campus.
15. This may not have been the position when its residency at 60 Brown Street commenced in 2002. Several accommodation sites have been built or developed since then and more are planned.
16. Sheffield Chamber of Commerce has been promoting a number of projects on its website to develop new accommodation sites in the Cultural Industries Quarter. It should be noted that some developers appear content to describe the vicinity as part of Sheffield Hallam University campus when promoting its attractions.

17. In *R (on the application of Thompson) v Oxford City Council* [2014] EWCA Civ 94 the Administrative Court upheld the decision of Oxford City Council to refuse to renew a licence. In his judgement Mr Justice Haddon-Cave said as follows:

‘Mr Gouriet QC submitted on behalf of the Claimant that the 2012 Sub-Committee erred in taking into account an *"increasing concentration of student accommodation in the area"* because (i) incomplete developments were not relevant to assessing the present character of the area, and (ii) there was insufficient evidence to justify such a finding and any developments were 0.5 to 0.8 miles away. I reject both submissions on the law and the facts.

As to the law, licensing decision-makers are entitled to take into account both the present and future *"character"* of an area. There is no reason to limit the reference to *"character"* in paragraph 12(3)(d) only to the present character of the area. Indeed, it would make no sense to do so in the context of prospective licenses which were to be granted for 12 months in the future. Prospective licenses required a prospective view. The fact that an area is developing and in a continued state of change is a relevant consideration to why renewal might be inappropriate’.

18. Significantly Spearmint Rhino is located immediately adjacent to Sheffield Students Hub/Union, an iconic city building which was formerly the National Centre for Popular Music and acquired by Sheffield Hallam in 2003 no doubt because of its proximity to both the central campus and to the students accommodation. This is a large building with a bar open Monday-Thursday until 11pm and on Fridays till midnight.
19. The building is under constant use by the many students who attend the University. Sheffield Hallam is one of largest universities in the UK, with approximately 30,000 students including post-graduates.
20. The Hub is also a drop off point for University sports trips (male and female) where students return late at night and have to make their way back to their accommodation.
21. Young people, particularly female students, should be allowed to pass through this area, on their way to lectures, the student union and to their accommodation, without concern for their safety at all times of the day. It should be noted that that there are now University learning centres open 24 hours a day.
22. The presence of other schools and colleges in the area should be taken into account when assessing whether this particular area is an appropriate location for Spearmint Rhino to continue operating.
23. There are also a number of other organisations in the area dealing with vulnerable people whose presence should be taken into account when considering this application to renew.
24. This includes a women’s charity, operating in Arundel Lane, immediately adjacent to the rear of 60 Brown Street whose website indicates the provision of:

‘holistic and gender-specific support to vulnerable women across the city of Sheffield. The centre has a women-only facility in the heart of Sheffield that offers a safe and welcoming place for women to engage in meaningful support and community services, all under one roof’.
25. There are organisations in nearby Scotia House located in Leadmill Street, and only a short distance away from Spearmint Rhino, who also deal with vulnerable people some of whom are the victims of serious sexual assault.

26. It is no coincidence in our submission that there is a concentration of these kinds of organisations in this vicinity. They need to be centrally located and close to the central transport hubs (rail, bus and tram) so that those in poorer communities (predominantly women), who are disproportionately affected by violence and abuse, can access their services.
27. We have taken a decision in this submission not to name all the potential relevant projects. One of the invidious aspects of SEV licence applications is that organisations dealing with vulnerable people may not wish to advertise too widely their precise location. They may also not have time to register a complaint within the tight time constraints of the objection process and may wish to prioritise their clients' needs. Failure to lodge an objection should not therefore be taken in our submission as consent or approval for the application. It is the role of the licensing authority in our submission to take an overarching view of the community as a whole when determining whether Spearmint Rhino should be allowed to continue its work in this vicinity.

#### Public Sector Equality Duty

28. The Licensing Authority must have regard to its Public Sector Equality Duty. This consists of a general equality duty, set out in section 149 of the Equality Act 2010, to have due regard to the need to:
- a. Eliminate discrimination, harassment and victimisation.
  - b. Advance equality of opportunity between the sexes and
  - c. Foster good relations between the sexes.
29. In the context of town planning we refer the licensing committee to *Sex Licensing – Phiip Colvin QC* where the author cites (on page 86) the research paper '*Planning and Diversity: Research into Policy and Procedure*' (ODPM -2004).

'Women and children and men use towns and cities in different ways, and thus face different problems. A good quality environment for women should be attractive, easy to use, convenient and safe and meet their specific needs. Women are particularly concerned about issues of personal safety and security, the provision of facilities and the detailed design of buildings and spaces particularly in residential areas, public buildings, shopping areas and city and town centres. Many women feel vulnerable in getting around as users of public transport and as pedestrians, and their movement is often constrained by fear of attack. This is particularly true for older women and women with children traveling alone. Environments that work well during the day can feel hostile at night.'

30. He continues by saying that these concerns are directly reflected in the Royal Town Planning Institute's Gender and Spatial Planning Good Practice Note, which states:

'In relation to 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations lap-dancing and exotic dancing clubs make women feel threatened and uncomfortable'.

31. Customers late at night, on their way to lap-dancing clubs and when leaving, can be inebriated and disinhibited. This can be worrying for passers-by. There are many people, not just women, including members of the LGBT community, who have a right to move freely in the city, day and night, and who should not be required to 'avoid the area' in an increasingly residential and student vicinity.

32. Concerns over safety, even if not shared by club proprietors or their supporters, must be weighed in the balance when considering this application, particularly where the street can be quiet but for the users of the club.
33. We appreciate that the Public Sector Equality Duty also applies when considering the rights of the women who work in SEVs. There are divided opinions on this issue. While some recognise the relationship between SEVs and the harmful effect of normalising the objectification of women, there is also a natural concern about the welfare of women who work in the lap dancing industry, and the need to ensure that they remain free from harm and financial exploitation particularly in a time of recession.
34. While it is true that that some employees have written about their experiences in the lap dancing industry in a positive light, there are countervailing stories and women have spoken about the problems they experience when working in these kinds of establishments.
35. The Council has recently conducted a consultation on Sex Licensing in the city and the new draft policy appears to be alive to these issues:

‘It is therefore imperative that all premises licensed by Sheffield City Council are done so to a standard that ensures maximum safety for everyone, and that facilities are provided which all members of society can access in a fair, safe and acceptable manner. The Licensing Authority will ensure through stringent regulation, the imposition of tight and robust conditions, a strong policy and strict limits on the numbers and locations of sex establishments in Sheffield, that we can strike a fair balance between supporting and encouraging the equality and diversity of all men and women visiting and working within sex establishments, whilst also ensuring working practices and the environment within which sex establishments operate, are safe, secure, and well monitored to stay in line with the Council’s stated vision in The Corporate Plan.

In formulating this policy, the Council has fully considered its Public Sector Equality Duty under Section 149 of the Equality Act 2010; in particular the need to eliminate discrimination, harassment, victimisation etc. in relation to males and females engaged in performing at licensed venues and/or males and females living, working or travelling within the vicinity of such venues.

The Public Sector Equality Duty must be exercised with vigour, substance, and rigour and also with an open mind. We fully recognise that it’s not simply a question of ticking boxes, but something which must be formally assessed to allow for fair and equal practices on all levels throughout the Council and the City as a whole.

The Licensing Authority has also undertaken a detailed Equality Impact Assessment that was carefully considered at the start of the policy drafting process, and was kept under review throughout; it will be finalised on publication’.

36. This new ‘robust’ policy is to be welcomed, however in order to truly observe its duties we submit that a comprehensive scheme of monitoring and inspection would have to be introduced to ensure the welfare of workers at SEVs generally. A comprehensive scheme would ensure regular welfare checks on dancers and compliance with regulations.
37. The question remains though as to whether the Council has the resources to fulfill its ambitions with ‘vigour, substance and rigour’. A programme to protect and safeguard women in the lap dancing industry requires substantial financial commitment and we are concerned that in a time of austerity

and stringent government cuts those resources are not available.

## CONCLUSION

38. In our submission the time has finally come for the council to consider whether Spearmint Rhino's current location in the Cultural Industries Quarter, its very close proximity to Sheffield Hallam campus and halls of residence, and its immediate proximity to prestigious arts venues is sustainable in a city making great strides to transform itself and promote equality.
39. In the event that Sonfield Developments Ltd seek to argue that a refusal of its application to renew the SEV licence would have an adverse financial impact on the company and its employees, the licensing committee should require the company to produce precise financial details in support of its argument, including records of actual earnings by the lap-dancers so that a proper impact assessment can be made.

Women's Equality Party, Sheffield Branch

20<sup>th</sup> March 2017

## Objection 57

Dear Licensing

I would like to object to the renewal of the SEV license for Spearmint Rhino on the following grounds:

- I reject the premise that Sheffield is a city that welcomes businesses that normalize the objectification women and the message that this portrays to our citizens, in particularly the young men and women of this city.
- I would far prefer that the council spend it's scare resources on say, the provision of social care for the elderly, than on licensing and monitoring of establishments of this kind.

I look forward to hearing from you

Regards

## Objection 58

Dear licensing,

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

**This is an objection letter to the application for this licence and I call for the council to refuse it.**

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

As Philip Kolvin (2010) cites the Royal Town Planning Institute's *Gender and Spatial Planning Good Practice Note*:

*'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'*<sup>[1]</sup>

Kolvin continues with:

*'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'*<sup>[2]</sup>.

This is further corroborated by 2012 research published in *Criminal Justice Matters* which states that:

*'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'*[3]

## **Location**

In its current policy, the Council states:

*"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-*

**a) a school, nursery or other premises substantially used by or for children under 16 years of age;**

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated "knowledge gateway".

**b) a park or other recreational area used by or for children under 16 years of age;**

There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club. The Club's presence deters many from using that space to its full potential.

**c) a church or other place of religious worship;**

Christ Church Central operates from the Workstation and runs a weekly service.

**d) a Hospital, Mental Incapacity or Disability Centre or similar premises;**

There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

**e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or**

**f) a central gateway to the city or other city landmark, historic building or tourist attraction.**

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.



## **Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council's equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

A sexual entertainment venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:

*R (Bean Trading A Ltd) v Leeds City Council (2014)*

It was held that a council can "take a fresh look" despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

*'Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.'*[4]

The case of *Thompson v Oxford City Council (2014)* was also supported at court of appeal, and the Council told they could "take a fresh look" at any application for renewal.

If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

I look forward to hearing from you.

**Many thanks,**

[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[2] Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in *Criminal Justice Matters*, 88:1, 10-12.

[3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[4] p. 90

## **Objection 59**

I believe the committee should refuse the application from Spearmintrhino under the discretionary grounds for refusal under the Sheffield City Council venues policy .

The existence of a SEV normalises the objectification and sexualisation of women thereby contravening the public sector duty required of Sheffield City Council

## **Objection 60**

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

**20 th March 2017**

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

**This is an objection letter to the application for this license and I call for the council to refuse it.**

I believe that the Council should refuse the license application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change

their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

As Philip Kolvin (2010) cites the Royal Town Planning Institute's *Gender and Spatial Planning Good Practice Note*:

*'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'*<sup>[1]</sup>

Kolvin continues with:

*'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'*<sup>[2]</sup>.

This is further corroborated by 2012 research published in Criminal Justice Matters which states that:

*'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'*<sup>[3]</sup>

## **Location**

In its current policy, the Council states:

*"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-*

**a) a school, nursery or other premises substantially used by or for children under 16 years of age;**

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs. The Expansion of Site Gallery which plans an education studio to support over 600 young people a year. As well as the workshops that are held at Yorkshire Artspace.

The Club is also in the centre of the newly designated “knowledge gateway”.

**b) a park or other recreational area used by or for children under 16 years of age;**

There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club. The Club’s presence deters many from using that space to its full potential.

**c) a church or other place of religious worship;**

Christ Church Central operates from the Workstation and runs a weekly service.

**d) a Hospital, Mental Incapacity or Disability Centre or similar premises;**

There are a number of charities and organizations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

**e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or**

**f) a central gateway to the city or other city landmark, historic building or tourist attraction.**

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion of which Sheffield City Council are

investors. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation. On recent radio Sheffield interview with students they said we may be only students but we live here it is our community and we do not like Spearmint Rhino being part of it.

### **Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council's equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

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[3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[4] p. 90

## Objection 61

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

21/3/17

Dear Licensing

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When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

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Kolvin continues with:

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*'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'* [3]

### **Location**

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The Club is also in the centre of the newly designated "knowledge gateway".

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There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club. The Club's presence deters many from using that space to its full potential.

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**f) a central gateway to the city or other city landmark, historic building or tourist attraction.**

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

**Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council's equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

A sexual entertainment venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:

R (Bean Trading A Ltd) v Leeds City Council (2014)

It was held that a council can "take a fresh look" despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

*'Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.'*[4]

The case of Thompson v Oxford City Council (2014) was also supported at court of appeal, and the Council told they could "take a fresh look" at any application for renewal.

If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

Having young teenagers, it is of grave concern to me that an establishment, as Spearmint Rhino, in the first place was allowed to be placed in the centre of town and so close to educational establishments. Please don't make the same mistake twice.

With many hopes for a very positive outcome.

[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[2] Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in *Criminal Justice Matters*, 88:1, 10-12.

[3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[4] p. 90

## Objection 62

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

This is an objection letter to the application for this licence and I call for the council to refuse it. I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

The Public Sector Equality Duty and Gender Equality Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

As Philip Kolvin (2010) cites the Royal Town Planning Institute's Gender and Spatial Planning Good Practice Note:

'In relation to the 24-hour economy policy, ensure that the views of women are considered.

Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'[1] Kolvin continues with:

'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'[2].

This is further corroborated by 2012 research published in Criminal Justice Matters which states that:

'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'[3]

Location

In its current policy, the Council states:

"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-

a) a school, nursery or other premises substantially used by or for children under 16 years of age; There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated "knowledge corridor".

b) a park or other recreational area used by or for children under 16 years of age; There is the much underused recreational space (Festival Square) directly adjacent to the club. The Club's presence deters many from using that space to its full potential.

c) a church or other place of religious worship; Christ Church Central operates from the Workstation and runs a weekly service.

d) a Hospital, Mental Incapacity or Disability Centre or similar premises; There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or

f) a central gateway to the city or other city landmark, historic building or tourist attraction.

The area which the club is in is marketed by the Council as the "Cultural Quarter" - it is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

#### Additional grounds for refusal

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council's equality policies and its equality duty. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes, for example the recent SheFest, the Equalities Hub within the community bringing Communities of Identity together to tackle equalities issues within the council and the city.

A sexual entertainment venue in the heart of the city is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:

R (Bean Trading A Ltd) v Leeds City Council (2014) It was held that a council can "take a fresh look" despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

'Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.'<sup>[4]</sup> The case of Thompson v Oxford City Council (2014) was also supported at court of appeal, and the Council told they could "take a fresh look" at any application for renewal. If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

I look forward to hearing from you.

[1] Kolvin, P (2010) Sex Licensing, The Institute of Licensing p.87 [2] Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in Criminal Justice Matters, 88:1, 10-12.

[3] Kolvin, P (2010) Sex Licensing, The Institute of Licensing p.87 [4] p. 90

## Objection 63

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

21/3/17

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

**This is an objection letter to the application for this licence and I call for the council to refuse it.**

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

As Philip Kolvin (2010) cites the Royal Town Planning Institute's *Gender and Spatial Planning Good Practice Note*:

*'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'*<sup>[1]</sup>

Kolvin continues with:

*'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'*<sup>[2]</sup>.

This is further corroborated by 2012 research published in *Criminal Justice Matters* which states that:

*'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'*

## Location

In its current policy, the Council states:

*“Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-*

**a) a school, nursery or other premises substantially used by or for children under 16 years of age;**

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated “knowledge gateway”.

**b) a park or other recreational area used by or for children under 16 years of age;**

There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club. The Club’s presence deters many from using that space to its full potential.

**c) a church or other place of religious worship;**

Christ Church Central operates from the Workstation and runs a weekly service.

**d) a Hospital, Mental Incapacity or Disability Centre or similar premises;**

There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

**e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or**

**f) a central gateway to the city or other city landmark, historic building or tourist attraction.**

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children’s media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

### **Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council’s equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

A sexual entertainment venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:

R (Bean Trading A Ltd) v Leeds City Council (2014)

It was held that a council can “take a fresh look” despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

*‘Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.’*

The case of *Thompson v Oxford City Council* (2014) was also supported at court of appeal, and the Council told they could “take a fresh look” at any application for renewal.

If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

I look forward to hearing from you.

[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[2] Patiniotis, J. & Standing, K. (2012) ‘License to cause harm? Sex entertainment venues and women’s sense of safety in inner city centres’ in *Criminal Justice Matters*, 88:1, 10-12.

[3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[4] p. 90

## Objection 64

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

20.03.2017

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

**This is an objection letter to the application for this licence and I call for the council to refuse it.**

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women, including myself, feel uncomfortable and nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. I won't park my car near the venue after 6pm even though I visit Showroom Cinema on a regular basis. Women should not have to feel like this in their city and this is discriminatory.

As someone running events throughout Sheffield for LGBTQ identified women, we try to avoid the city centre as a location for our events because of the amount of abuse I personally have experienced walking through town on nights out. We recently took the decision not to host a party at Showroom Cinema for LGBT History month, because we were worried about vulnerable audience members walking through town, past locations like Spearmint Rhino that cause potential upset and stress to women and LGBT people. This is not an acceptable position to be in. Sheffield City Council needs to do more to discourage venues that promote the objectification, i.e. de-humanising of women. That way, all women, and those who identify as gender non - conforming, may have less chance of being singled out for abuse.

As Philip Kolvin (2010) cites in the Royal Town Planning Institute's 'Gender and Spatial Planning Good Practice Note':

*'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable' [1]*

Kolvin continues with:

*'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage' [2].*

This is further corroborated by 2012 research published in Criminal Justice Matters, which states that: *'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'* [3]

### **Location**

In its current policy, the Council states:

*'Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:*

**a) A school, nursery or other premises substantially used by or for children under 16 years of age;**

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College, which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated "knowledge gateway".

**b) A park or other recreational area used by or for children under 16 years of age;**

There is the much-underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club. The Club's presence deters many from using that space to its full potential.

**c) A church or other place of religious worship;**

Christ Church Central operates from the Workstation and runs a weekly service.

**d) A Hospital, Mental Incapacity or Disability Centre or similar premises;**

There are a number of charities and organisations in the area that support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, I've been told that the Council is aware of the organisations I refer to.

**e) The Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or**

**f) A central gateway to the city or other city landmark, historic building or tourist attraction.**

It is directly opposite the Showroom cinema, which hosts family events. It is also opposite the Site Gallery, which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

### **Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the



Council's Equality Policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes such as the Equality Hubs. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

A sexual entertainment venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal. The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review.

R (Bean Trading A Ltd) v Leeds City Council (2014)

It was held that a council can "take a fresh look" despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

*'Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.'* [4]

The case of Thompson v Oxford City Council (2014) was also supported at court of appeal, and the Council told they could "take a fresh look" at any application for renewal.

If the panel feels that they cannot make a refusal decision without further discussion, I would ask that a hearing be held so that the application can be discussed in more detail.

I look forward to hearing from you.

Yours sincerely,

[1] Kolvin, P (2010) Sex Licensing, The Institute of Licensing p.87

[2] Patinoitis, J. & Standing, K. (2012) License to cause harm? Sex Entertainment Venues and Women's Sense of Safety in Inner City Centres. In *Criminal Justice Matters*, 88:1, 10-12.

[3] Kolvin, P (2010) Sex Licensing, The Institute of Licensing p.87

[4] p. 90

## **Objection 65**

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

21<sup>st</sup> March 2017

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

**This is an objection letter to the application for this licence and I call for the council to refuse it.**

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the

SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

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*'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'*[1]

Kolvin continues with:

*'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'*[2].

This is further corroborated by 2012 research published in *Criminal Justice Matters* which states that:

*'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'*[3]

### **Location**

In its current policy, the Council states:

*"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-*

**a) a school, nursery or other premises substantially used by or for children under 16 years of age;**

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated “knowledge gateway”.

**b) a park or other recreational area used by or for children under 16 years of age;**

There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on [Sheaf Square](#)) directly adjacent to the club. The Club’s presence deters many from using that space to its full potential.

**c) a church or other place of religious worship;**

Christ Church Central operates from the Workstation and runs a weekly service.

**d) a Hospital, Mental Incapacity or Disability Centre or similar premises;**

There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

**e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or**

**f) a central gateway to the city or other city landmark, historic building or tourist attraction.**

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children’s media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

**Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council’s equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would

be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

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*‘Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.’*<sup>[4]</sup>

The case of Thompson v Oxford City Council (2014) was also supported at court of appeal, and the Council told they could “take a fresh look” at any application for renewal.

If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

I look forward to hearing from you.

[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[2] Patiniotis, J. & Standing, K. (2012) ‘License to cause harm? Sex entertainment venues and women’s sense of safety in inner city centres’ in *Criminal Justice Matters*, 88:1, 10-12.

[3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[4] p. 90

## Objection 66

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9

21st March 2017

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

### **This is an objection letter to the application for this licence and I call for the council to refuse it.**

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

#### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

As Philip Kolvin (2010) cites the Royal Town Planning Institute's *Gender and Spatial Planning Good Practice Note*:

*'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'*[1]

Kolvin continues with:

*'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'*[2].

This is further corroborated by 2012 research published in *Criminal Justice Matters* which states that:

'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.' [3]

### **Location**

In its current policy, the Council states:

*“Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-*

**a) a school, nursery or other premises substantially used by or for children under 16 years of age;**

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated “knowledge gateway”.

**b) a park or other recreational area used by or for children under 16 years of age;**

There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on [Sheaf Square](#)) directly adjacent to the club. The Club’s presence deters many from using that space to its full potential.

**c) a church or other place of religious worship;**

Christ Church Central operates from the Workstation and runs a weekly service.

**d) a Hospital, Mental Incapacity or Disability Centre or similar premises;**

There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

**e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or**

**f) a central gateway to the city or other city landmark, historic building or tourist attraction.**

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children’s media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

### **Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council’s equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would

be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

A sexual entertainment venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:

R (Bean Trading A Ltd) v Leeds City Council (2014)

It was held that a council can “take a fresh look” despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

*‘Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.’*<sup>[4]</sup>

The case of Thompson v Oxford City Council (2014) was also supported at court of appeal, and the Council told they could “take a fresh look” at any application for renewal.

If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

I look forward to hearing from you.

[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[2] Patiniotis, J. & Standing, K. (2012) ‘License to cause harm? Sex entertainment venues and women’s sense of safety in inner city centres’ in *Criminal Justice Matters*, 88:1, 10-12.

[3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[4] p. 90



## Objection 67

Dear licensing department,

I write to you to state my intention to object to the proposed re-licensing of sexual entertainment venue Spearmint Rhino with extended opening hours between 00:00 to 00:00.

I wish to do so on the following grounds.

(1) Location- Spearmint Rhino is adjacent to the Hallam Students Union Hub, opposite the renowned Showroom Cinema, in close proximity to several vulnerable women's organisations, including educational establishments who specialise in caring for and educating minors with special needs which according to the terms for objection are clear grounds for refusal of a licence.

### (2) Public Sector Equality Duty

The council has a clear obligation to fulfil its duty as a local authority organisation, and to renew the licence with extended opening hours would demonstrably be in breach of this duty.

(3) That as a founding member of the UK Women's Equality Party, and Sheffield branch member, I put to you that re-licensing such an establishment shows the city of Sheffield motto "where everyone matters" to be something of a misnomer, as the wellbeing of children, vulnerable citizens and the young should be considered a priority.

Equality begins and ends where the safety, wellbeing and treatment of women and girls is given equal status to men.

WE endorse the Nordic model in our policies- Criminalising the purchase of sex and providing women who sell sex with support services including help to those who wish to exit the sex trade. This approach penalises the demand for commercial sex, as well as pimping, while decriminalising individuals who sell sex and providing them with support services. Referred to as the Sex Buyer Law or the Nordic Model, this approach recognises sexual exploitation as a form of violence mainly directed at women and children. See detailed example here: [http://catwa.org.au/files/images/Nordic\\_Model\\_Pamphlet.pdf](http://catwa.org.au/files/images/Nordic_Model_Pamphlet.pdf)

Look at how the Women's Equality Party perceive gender relations compared to Spearmint Rhino

<http://www.bbc.co.uk/iplayer/live/bbcparliament>

<https://twitter.com/rhinosheffield?lang=en-gb>

4 How can we justify our Purple Flag status when longstanding civil servants, and council workers have been made redundant in this great city, and yet consider re-licensing a premises where the exploitation and sale of women for the gratification of a mainly male clientele is seen as a viable source of revenue?

5 The Showroom Cinema and Workstation are both within close proximity to the premises, as is the Sheffield train station and proposed HS2 railway station.

What sort of an impression to visitors to the city does this give to our visitors?

6 Violence against sex workers is sadly still a tragic part of society, as this article illustrates how liberal licensing laws in the neighbouring city of Leeds clearly fail women with devastating consequences.  
<https://www.theguardian.com/uk-news/2016/jul/04/man-guilty-murder-sex-worker-leeds-daria-pionko-lewis-pierre>

This recent article below illustrates the correlation between escort work and attitudes of ownership and control as clearly displayed in this Guardian newspaper article depicting the murder of escort Georgina Symonds by property developer Peter Morgan.

<https://www.theguardian.com/uk-news/2016/nov/28/millionaire-peter-morgan-murdered-woman-georgina-symonds-he-paid-to-be-his-escort-court-hears>

7 Post EU Referendum, money obtained from such establishments should surely be spent on the enhancement of our public services, rejuvenation of our homeless services and charities, investment in women's organisations and mental health services, liaison and development with local businesses, not in providing employment for an organisation that you would need to erase from your CV or application form for employment opportunities, and that both limits the future prospects of workers whilst simultaneously contributing to the proliferation of the sex industry "market" across the UK.

8 Re-Licensing such a premises would clearly alarm and alienate both the staff, and clients of the neighbouring organisations offering services to vulnerable people, and may cause them to relocate as a result of paying potentially exorbitant rent on a city centre location, whilst also potentially risking loss of business of the clientele of these longstanding and well respected organisations.

Is this a risk that you are willing to take for such a marginalised and disreputable licenced organisation?

9 Sheffield City Council has a designated Equality and Women's Hub, created to address the very inequalities and systemic abuses of women and girls that this type of organisation perpetuates, we already have a thriving night-time economy whereby both sexes can participate on an equal level in society despite the trade of such an establishment which lowers the tone and demoralises the work of many organisations striving for the opposite goals in the city of Sheffield.

10 A contribution to the licensing of premises on site of a far less controversial premises that could open day and night, without the stigma of objections being logged and a hearing process every year as this one would be a boon to a city struggling under the weight of crippling austerity measures.

11 Health and safety at work

<https://twitter.com/rhinosheffield?lang=en-gb>

In light of the above grounds, I would ask you to reconsider granting this licence.

Yours faithfully,

## **Objection 68**

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

21st March 2017

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

This is an objection letter to the application for this licence and I call for the council to refuse it.

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

As Philip Kolvin (2010) cites the Royal Town Planning Institute's Gender and Spatial Planning Good Practice Note:

'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'[1]

Kolvin continues with:

'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the

public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'[2].

This is further corroborated by 2012 research published in Criminal Justice Matters which states that:

'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'[3]

## **Location**

In its current policy, the Council states:

"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-

a) a school, nursery or other premises substantially used by or for children under 16 years of age;

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated "knowledge gateway".

b) a park or other recreational area used by or for children under 16 years of age;

There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club. The Club's presence deters many from using that space to its full potential.

c) a church or other place of religious worship;

Christ Church Central operates from the Workstation and runs a weekly service.

d) a Hospital, Mental Incapacity or Disability Centre or similar premises;

There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or

f) a central gateway to the city or other city landmark, historic building or tourist attraction.

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in

terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

Additional grounds for refusal

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council's equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

A sexual entertainment venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:

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It was held that a council can "take a fresh look" despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

'Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.'<sup>[4]</sup>

The case of Thompson v Oxford City Council (2014) was also supported at court of appeal, and the Council told they could "take a fresh look" at any application for renewal.

If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

I look forward to hearing from you.

## References

[1] Kolvin, P (2010) Sex Licensing, The Institute of Licensing p.87

[2] Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in Criminal Justice Matters, 88:1, 10-12.

[3] Kolvin, P (2010) Sex Licensing, The Institute of Licensing p.87

[4] p. 90



Zero Option Sheffield

Licensing  
Block C, Staniforth Road  
Staniforth  
Surrey  
S9 3HD

Service  
Depot  
Road  
Street

21<sup>st</sup> March 2017

BY EMAIL to: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

Dear Licensing

We refer to the application for a Sexual Entertainment Venue (SEV) licence by Spearmint Rhino, 60 Brown Street, Sheffield, S1 2BS.

**This is an objection letter to the application for this licence and we call for the council to refuse it.**

We believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

## **1 The Public Sector Equality Duty and Gender**

### **Equality**

- 1.1 Sheffield City Council has "statutory obligations in relation to disability, race and gender" ensuring that these factors are not used to discriminate against anyone. We believe that a Sexual Entertainment Venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty (PSED), including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections. A detailed paper referencing research is attached to this objection by way of demonstrating how lap dancing clubs are incompatible with gender equality and do not foster good relations between the sexes.
- 1.2 When walking around this area which, the Council actively encourages due to the proximity of other businesses and services, research and personal anecdotes indicate that women feel nervous because of the SEV and have to change their behaviour because of it being there. Examples of changes in behaviour include having to look around to see if there are people coming out of the SEV or taking a different route walking to the centre of town so that they do not have to go past the SEV, even when it is closed due to the feelings of discomfort that the venue generates and all that it symbolises. Women should not have to feel like this in their city and the impact that the SEV has on women in this respect means that they are being discriminated.
- 1.3 As Philip Kolvin (2010) cites the Royal Town Planning Institute's *Gender and Spatial Planning Good Practice Note*:

*'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'*[1]

1.4 Kolvin continues with:

*'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'*[2].

1.5 This is further corroborated by 2012 research published in *Criminal Justice Matters* which states that:

*'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'* [3]

## **2 Location**



2.1 In its current policy, the Council states:

*"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-*

**2.2 a) a school, nursery or other premises substantially used by or for children under 16 years of age;**

2.2.1 There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC, which educates children from the age of 14. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

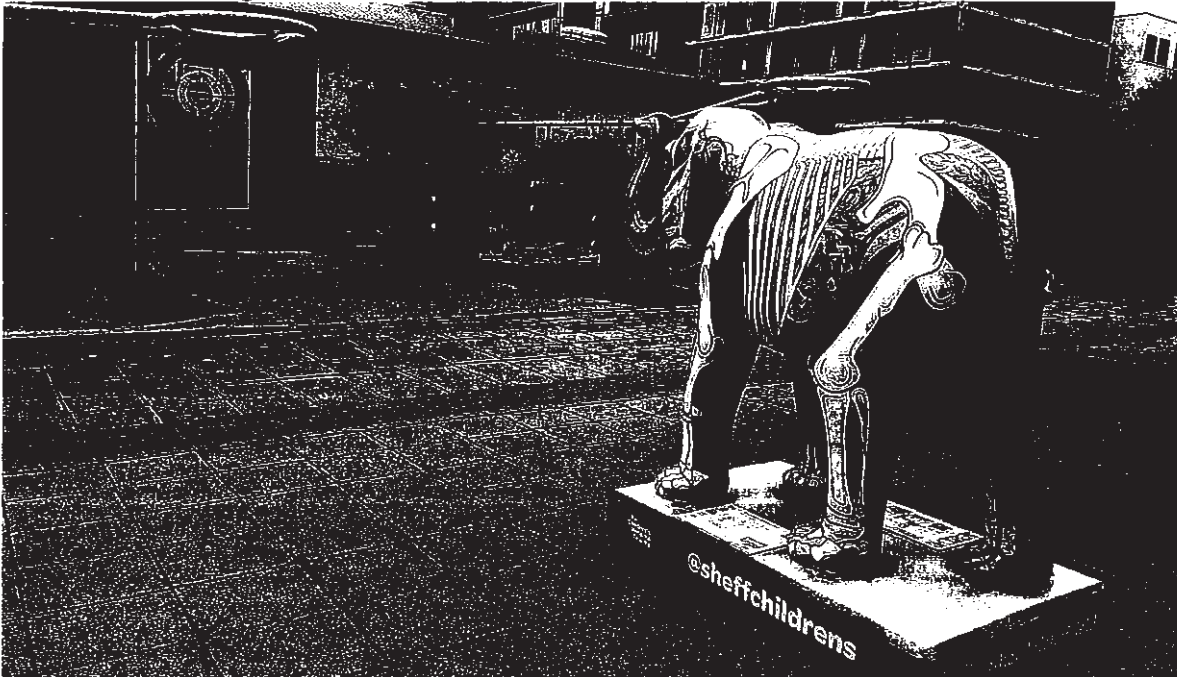
2.2.2 The Club is also in the centre of the newly designated "knowledge gateway".

**2.3 b) a park or other recreational area used by or for children under 16 years of age;**

2.3.1 There is the recreational space (Cultural Industries Quarter Square) directly adjacent to the club. In the 2016 Determination Notice, it was concluded that:

*"Members used their knowledge of the open space next to the premises to determine that it is not a recreational area used by children."*

However, two Zero Option members have noticed that children and families do use the space and it was to our great astonishment last year to see one of the herd of elephants located in this space with the specific intention of attracting children. A photograph taken on 14<sup>th</sup> August 2016 is below:



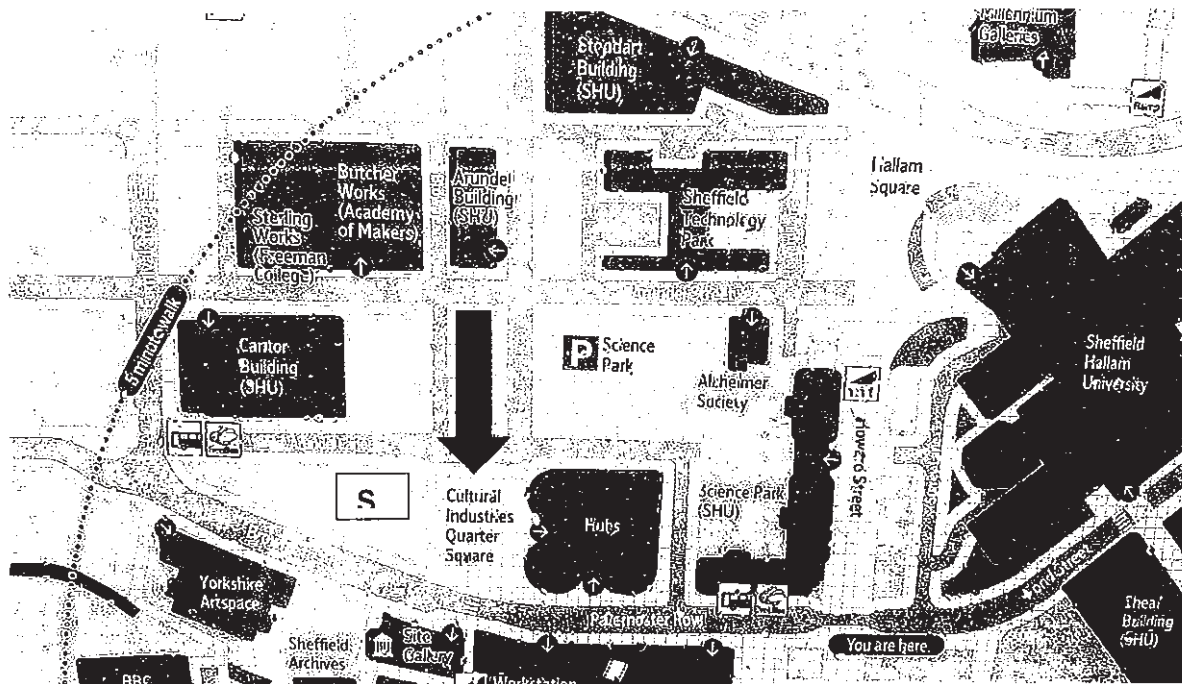
2.3.2 The fact that this space, named Cultural Industries Quarter Square, is juxtaposed to an SEV is extremely bizarre. In the determination notice in 2016 when the Spearmint Rhino SEV licence was renewed, it is stated that:

*"The Policy document details Tudor Square and the Peace Gardens as the Cultural hub, those being the central and most active places in Sheffield for visitors, but no definition is given beyond this. The premises has no impact on these areas."*

However, the ShowroomWorkstation describes itself as "a unique cultural hub."

2.3.3 The photo on page 4 of the map located on Sheaf Square shows the area occupied by Spearmint Rhino greyed out (we have marked "SR" in red font) and features the name "Cultural Industries Quarter Square" (see red arrow) as what has been known as "Festival Square."





2.3.4 This square is referred to in this Council document, dated November 2015 <http://www.sheffieldnewsroom.co.uk/council-set-to-boost-cultural-industries-quarter/> where it is stated that it is “underused” and outlines plans for its development:

*“The first report is a proposal to lease an area of underused open land at Charles Street (next to the Hallam Students Union building) to Sheffield Hallam University (SHU) as an events space. It would give a greater opportunity for outdoor events to be held in that area – such as during DocFest, Tramlines and other similar events.”*

## 2.4 c) a church or other place of religious worship;

2.4.1 Christ Church Central operates from the Workstation and runs a weekly service.

## 2.5 d) a Hospital, Mental Incapacity or Disability Centre or similar premises;

2.5.1 There are a number of charities and organisations in the area which support vulnerable children and adults (including Together Women and Element Society) in the immediate vicinity. There are further charitable organisations in the area supporting vulnerable young people and adults which occupy a building within a very short distance from venue, with Brown Street and Grinders Hill as a direct access route from Arundel Gate and Charles Street where many buses stop and service users will alight from. Furthermore, there is the car park behind the HUBS which many service users of all the charities and organisations in the area are likely to use if driving into the city centre.

## 2.6 e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or f) a central gateway to the city or other city landmark, historic building or tourist attraction.

2.6.1 The news item referred to above (see <http://www.sheffieldnewsroom.co.uk/council-set-to-boost-cultural-industries-quarter/>) also highlights the changing nature of the Cultural Industries Quarter thus:

*“There are more than 300 companies in the CIQ and most of them are connected to creative or cultural industries, such as film-making, music production, software design, broadcasting, new media, architecture, art and traditional crafts.*

***The area also includes the city centre campus of Sheffield Hallam University and a growing residential community that includes a large number of students.***

*Despite its success as a trail-blazing example, there is now a feeling that the CIQ has lost ground to similar clusters of creative businesses in other cities and that it needs to refresh and update – **both its cultural and commercial offer and public space for a growing resident and business population.***” (emphasis added)

2.6.2 Regarding the last paragraph above, has the Council considered that the presence of a strip club with an internationally recognised logo and name is perhaps inappropriate in an area which is increasingly characterised as a specialist one housing a cluster of independent creative organisations?

2.6.3 On the 10th March at the Site Gallery closing event, due to a major refurbishment project (see 2.6.6), John Mothersole, the Council's CEO stated that the gallery:

*“sits right in the heart of the cultural growth of the city.”*

2.6.4 On the 13<sup>th</sup> February 2017, the Sheffield City Region website published a piece entitled: *£5.6m plan for Sheffield Knowledge Gateway scheme could restore Fitzalan Square to its former glory* (<https://sheffieldcityregion.org.uk/2017/02/5-6m-plan-sheffield-knowledge-gateway-scheme-restore-fitzalan-square-former-glory/>)

The piece opens with the following paragraph:

*“Following the long-awaited renovation of the former head post office as Sheffield Hallam University's Sheffield Institute of Arts (SIA), Sheffield City Council is planning to upgrade the route from the Edwardian-era square along Pond Street to Paternoster Row and Brown Street, the focus of the Cultural Industries Quarter as well as improving connections to the city centre and station.”*

2.6.5 And further on describes Paternoster Row (and Brown Street) thus:

*“Paternoster Row is the main street of the Cultural Industries Quarter, home to the Showroom, Workstation, Site Gallery, Yorkshire Artspace and Sheffield Hallam's Student Union building, but it is also dominated by fast-moving buses and taxis with little pedestrian space.”*

2.6.6 In addition to this, Spearmint Rhino is directly opposite the Showroom cinema which hosts family events as well as many of the annual Off the Shelf events (in 2016, the Showroom and Workstation hosted 24 Off the Shelf events). It is also opposite the Site Gallery which is undergoing a huge expansion. In their press release, which can be found here: <http://www.sitegallery.org/wp-content/uploads/2017/02/Site-Gallery-Expansion-Press-Release-February-2017-FINAL.pdf> it is clear that this expansion will greatly enhance the CIQ and the newly designated Knowledge Gateway:

*Tom Fleming, Site Gallery Chair said: ‘this is a truly exciting time for Site Gallery, for Sheffield and its creative communities. A new landmark building and space for contemporary art that will offer new connections, new ideas and business.’*

*This scheme will connect to the multi-million pound investment in Sheffield City Council's Knowledge Gateway Project – an urban regeneration project within the Cultural Industries Quarter that includes millions of pounds of investment in public realm and capital projects in the area.*

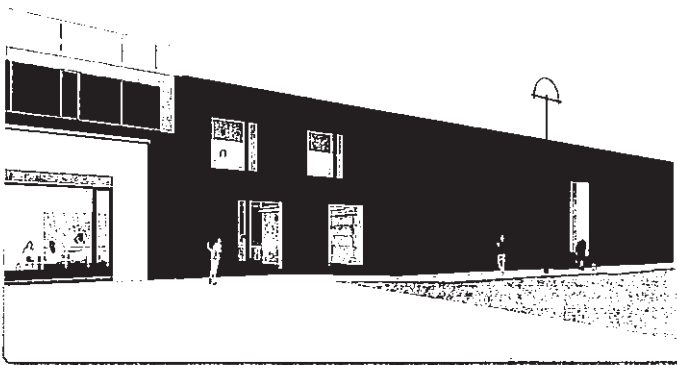
*Councillor Mary Lea, cabinet member for culture, sport and leisure at Sheffield City Council, said: ‘It's great to see Site Gallery going from strength to strength, and I hope that people will take the opportunity to have their say about the scheme while these exciting plans are on show. I look forward to seeing the new-look Site Gallery when it reopens to the public, and I am sure that the revamped gallery will create even more opportunities for people to get involved with arts and culture here in Sheffield.’*

#### LATEST NEWS

##### SITE GALLERY IS EXPANDING

Site Gallery will triple the scale of its public offer through an expansion programme commencing in spring 2017. On 10 March we closed to the public, after celebrating with a special closing event.

[Find out more](#)



(Source: <http://www.sitegallery.org/>)

The Council is asked to note that the Court of Appeal upheld a decision by a Council's Licensing sub-committee to refuse to renew a licence for a Sexual Entertainment Venue in the case of Thompson, R (On the Application Of) v Oxford City Council (2014). It was held that:

*"In making that assessment, the sub-committee was permitted to have regard to an imminent development of which it was aware [developments of student housing], even if there could be no certainty that it would be completed and operational within the period of the licence."*

- 2.6.7 Spearmint Rhino is centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the Children's Media Conference; Off the Shelf etc.
- 2.6.8 The route directly past and to the side of the venue next to the HUBS is a very high traffic area for students with an increasing number of student accommodation buildings in the area, including the relatively new student accommodation at the rear of the venue. Students will also be very close to, if not walking directly past the venue 24/7 as Sheffield Hallam University's leaning centre is open 24 hours per day; therefore this is an intersection of the night time economy and the student learning experience.
- 2.6.9 The Club is also directly next to Sheffield Hallam Students Union. Sheffield Hallam University held an open day on 15<sup>th</sup> March. Coaches were parked on Brown Street and the Science Park carpark was full. Many students and families first impression of Sheffield is of Spearmint Rhino as part of the University campus.



2.6.10 The Sheffield Culture Guide refers to Paternoster Row and Brown Street thus:

***Head out on a gallery crawl***

*A zig-zagging trail of ever-changing contemporary exhibitions awaits exploration in Sheffield's CIQ. Start at the always absorbing and intuitively curated Site Gallery on Brown Street. As well as putting on a fabulous programme of exhibitions and events, Site offers space to pause for thought in its common room.*

*Further along the street is Yorkshire Artspace's excellently named – and wonderfully designed – Persistence Works. It's worth repeating that Sheffield has the most artists' studios outside of London, and loads of them are here. Visit in November when the residents annually open their studios to the public. In the same building is Made North: a gallery and shop showcasing contemporary design, with a particular emphasis on the work of upcoming designers from Up North (many of whom are based in the studios above).*

(Source: <http://www.ourfaveplaces.co.uk/guides/area/cultural-industries-quarter>)

### **3 Additional grounds for refusal**

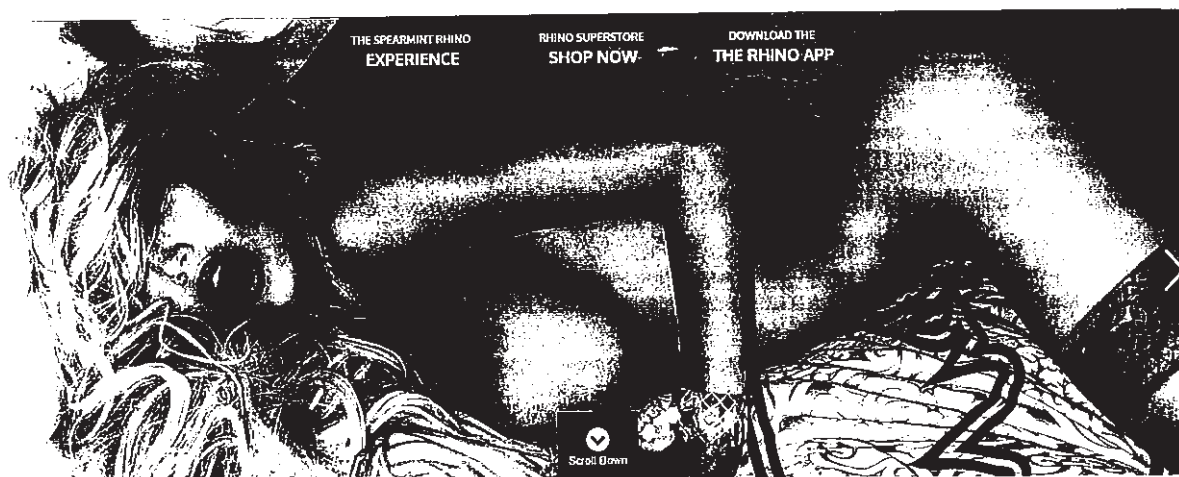
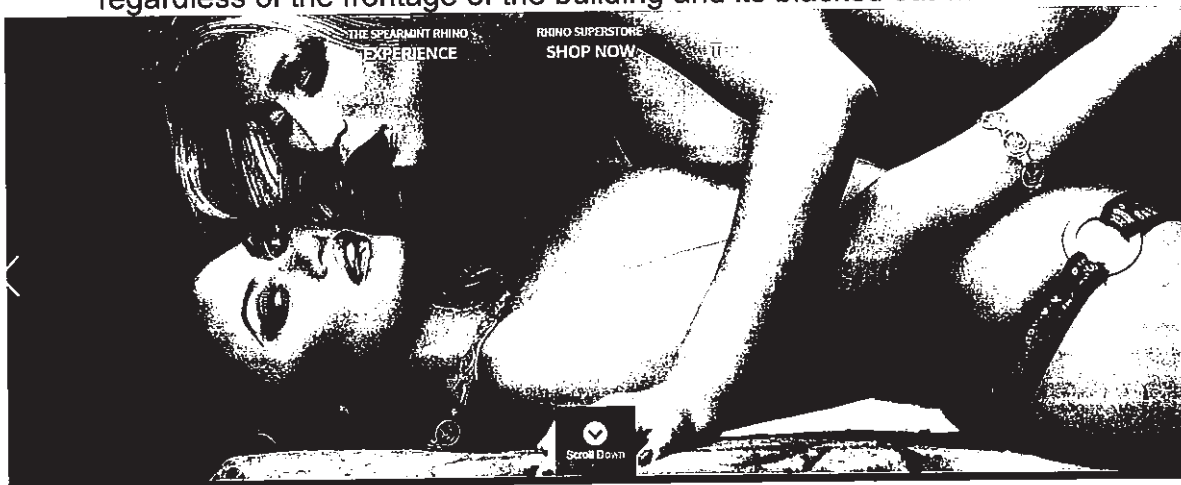
- 3.1 This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council's equality policies. The Spearmint Rhino logo is internationally recognised, by its own admission:



**Spearmint Rhino Gentlemen's Club**  
 From the business owner  
 The World Famous Spearmint Rhino  
 Gentlemen's Clubs

(Source: [https://www.yelp.co.uk/biz\\_photos/spearmint-rhino-gentlemens-club-rialto?select=os59PbFTHB4Wi-1p6\\_x0sA](https://www.yelp.co.uk/biz_photos/spearmint-rhino-gentlemens-club-rialto?select=os59PbFTHB4Wi-1p6_x0sA))

3.2 It is synonymous with stripping and the sexual availability and objectification of women, regardless of the frontage of the building and its blacked out windows.



(Source: <https://spearmintrhino.com/>)

3.3 These images are not only pornographic but the Club's promotion of its venue is also laden with the double entendre of orgasm:



**Spearmint Rhino**  
@RhinoSheffield

Spearmint Rhino this week, are you coming?



9:03 pm · 29 Feb 17



- 3.4 Renewing a licence would be contradictory to other work that the Council does, funds and promotes. How does this venue for example fit with the piece which was on the front cover of the Telegraph the day after International Women's Day?



- 3.5 We also ask whether the Council, as per its own policy, carried out an Equality Impact Assessment?
- 3.6 A Sexual Entertainment Venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the Council says it stands for, everything that the council should stand for, and has a duty to work towards.
- 3.7 We will fully and actively support the Council in the face of any challenge to the Council by giving a refusal.
- 3.8 The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:  
**R (Bean Trading A Ltd) v Leeds City Council (2014)**

It was held that a council can “take a fresh look” despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

*“Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.”*<sup>[4]</sup>

- 3.9 The case of *Thompson v Oxford City Council* (2014) was also supported at court of appeal, and the Council told they could “take a fresh look” at any application for renewal.
- 3.10 If the panel feel that they cannot make a refusal decision without further discussion, we would ask that a hearing is held so that the application can be discussed in more detail.

We look forward to hearing from you.

### **Zero Option**

[ZerooptionSheffield@gmail.com](mailto:ZerooptionSheffield@gmail.com)

### **References**

[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[2] Patiniotis, J. & Standing, K. (2012) ‘License to cause harm? Sex entertainment venues and women’s sense of safety in inner city centres’ in *Criminal Justice Matters*, 88:1, 10-12.

[3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

[4] p. 90

(end)

## **Why strip clubs are incompatible with gender equality**

### **Introduction**

This is a paper prepared by Zero Option Sheffield which draws together all evidence-based research findings which highlight how:

- SEVs are a form of violence against women - all women. They serve to objectify women and condone the buying of women and their licensed operation within a community effectively endorses this. Evidence-based research has exposed the links between alcohol and violence against women and that violence is mediated by the degree to which the perpetrator sexually objectifies women.
- In forming any SEV Policy related decisions, including the granting of licences, a local authority is legally obliged to pay regard to its obligations under the Public Sector Equality Duty (PSED). SEVs do not foster good relations between the sexes and perpetuate unequal power relations between the sexes and as such perpetuate gender inequality. Thus SEVs are incompatible with the PSED.
- If any local authority intends to reduce violence and discrimination against women, then it MUST set a nil cap to the number of SEVs it will permit in the city.



# 1 HARM AND THE MEANING OF 'MORAL' OBJECTIONS

## 1.1 Who does not consider SEVs to be harmful?

- 2. SEV owners
- 2. Some current performers in SEVs
- 2. Some sex worker rights activists
- 2. Some clients of SEVs - We argue 'some' with reference to recent research<sup>1</sup> highlighting male gendered expectations to attend strip clubs but which were not enjoyed by all attendees. We also have heard from men who felt pressurized to go to strip clubs and felt uncomfortable in the environment and did not welcome the attention of performers. In addition to this it was reported in December 2016<sup>2</sup> that 'According to figures released by professional stage (sic, should read 'stag') do specialists *The Stag Company*, there has been a 47% drop in lap dancing requests.
- 2. Some members of the public

## 1.3 What is meant by 'harm'?

The harmful impacts of SEVs are frequently dismissed as a 'moral' issue and therefore not relevant considerations. For example, it was reported in the *Sheffield Telegraph* when Wildcats SEV was refused planning permission that 'Some critics claimed a sex-orientated venue would put the safety of women at risk, but officers said their recommendation was based on the impact on the area, not on moral grounds'

## 1.4 What constitutes a 'moral' objection?

A pervasive problem is that the meaning of 'moral' is not defined in statute, guidance or in the current and proposed Policy. However this cannot justify a blanket dismissal of objections regarding harmful and other negative impacts of SEVs.

In the preface to his book, *Sex Licensing* (2010), the authoritative guide to sex licensing, Phillip Kolvin QC refers to the aim of Parliament in setting the now current legislation on SEV licensing<sup>3</sup> as being based on:

'... a conviction that communities should have a choice as to how many, if any, sex establishments should be in their locality, and **that it should not be necessary for such communities to demonstrate harm** in order to win an exercise of discretion in their favour.' (emphasis added)

Kolvin refers to historical distancing of decision-making from choices based on:

'a moral view as to the juxtaposition of sex and other community uses'

but suggests that:

'In a modern context, therefore, for 'morality' read 'community values', a less loaded concept altogether' (p. x).<sup>4</sup>

Thus Kolvin makes clear that it is a fundamental guiding principle that communities should be able to exercise choice about the number (if any) of sex establishments in their locality based on their own values, i.e. the subjective values of the people in the community, in their full range and variety, rather than having these diverse considerations dismissed as invalid 'moralising.'

Local authorities Council have a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding

<sup>1</sup> Briggs, D. & Ellis, A. 2016 Deviant Behavior, pp. 1-12 *The Last Night of Freedom: Consumerism, Deviance and the Stag Party*

<sup>2</sup> Loaded 28<sup>th</sup> November 2016 *Lap Dancing Bookings Down As Stag Dos Focus On Less Seedy Alternatives*  
<http://loaded.co.uk/lap-dancing-bookings-down-as-stag-dos-focus-on-less-seedy-alternatives/>

<sup>3</sup> Policing and Crime Act 2009 <http://www.legislation.gov.uk/ukpga/2009/26/contents>

<sup>4</sup> Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing

the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. About this Kolvin observes:

'The role of gender equality is not well understood, and it is far less well carried through, in licensing processes. However, gender equality may well influence decision making under LGMPA' (p. 86).

## 2 THE IMPACT OF SEVs ON ALL WOMEN

### 2.1 Gender inequality

A former lap dancer "Elena" told the *Guardian*:

'The men just see you as an object, not a person, and whether you are equally engaged in their desire is irrelevant.'<sup>5</sup>

Another former lap dancer named Lucy stated:

'... I truly believe that the reason men pay for lap dances is not because they are titillated visually by the sight of a naked woman, or even because the sexual contact is particularly stimulating. They do it because they get a power rush from the act of paying a woman to take her clothes off. She is vulnerable and he is powerful, and that's the real allure-that's the real reason the clubs are getting so popular. **Lap-dancing clubs are places in which you can all pretend that feminism never happened.**'<sup>6</sup> (emphasis added).

Another former dancers states:

'the idea that the sex industry is sex-positive and liberal [is] an absolute joke . . . [lapdancing clubs are] just **a manifestation of gender inequality.**'<sup>7</sup> (emphasis added).

A journalist who investigated lapdancing clubs concluded:

'It's about an industry which relies entirely on women, yet grants its female employees (sic) few if any rights: in that sense an industry that's stuck in the mindset of a pre-Equal Pay Act era.'

### 2.2 Sexual harassment

There is no reporting structure for sexual harassment and 'sexual harassment is not an offence in its own right'<sup>8</sup>, such is the normalisation and minimisation of this form of violence against women.

Recent research conducted by Dr Maggie Wykes at the University of Sheffield<sup>9</sup> found that the emotional after-effects of an [sexual harassment] incident are: uncomfortable 80%; frightened 40%; angry 60%; embarrassed 50%; disgusted 45%. The biggest behavioural responses to the experience were: avoid going out at night; avoid going out alone; try to change appearance. When asked if they had told anyone, 70% had told a friend. When asked if they had reported the harassment to the police, responses were: 70+% thought it was not serious enough; 16% were too embarrassed; 22% didn't think anyone could help. Nottinghamshire Police has now classified such harassment as a misogynistic hate crime.<sup>10</sup>

<sup>5</sup> The Guardian 19<sup>th</sup> March 2008 *I was seen as an object, not a person*  
<https://www.theguardian.com/world/2008/mar/19/gender.uk>

<sup>6</sup> Cited in Banyard, K. (2016: p. 140) *Pimp State: Sex, Money and the Future of Equality*. Faber and Faber, London

<sup>7</sup> Hayashi Danna (author of the book *Stripped: The Bare Reality of Lapdancing* (2011)) cited Banyard, K. 2016 *Pimp State: Sex, Money and the Future of Equality*. P. 140

<sup>8</sup> Communication from SYP 11<sup>th</sup> January 2017

<sup>9</sup> Publication pending

<sup>10</sup> BBC News *Nottinghamshire Police records misogyny as a hate crime*. 13<sup>th</sup> July 2016 Available from:  
<http://www.bbc.co.uk/news/uk-england-nottinghamshire-36775398>

Sexual harassment is a commonplace experience in women's everyday lives (see for example the Everyday Sexism Project<sup>11</sup>) and women do not expect to be taken seriously if they do report it (indeed, 85% of rapes are never reported<sup>12</sup> and a sizeable proportion of women say this is because they fear being treated disrespectfully and/or being disbelieved).

The same disbelief and dismissive attitude is often expressed when women object to the presence and existence of SEVs.

There are two undermining flaws in seeking case-based evidence of harm to individual women in this context, as in others. Firstly, violence against women prevalence data bear very little relation to reported crime statistics (and prevalence surveys do not question victims about connections with SEVs). Secondly, the issue is primarily mediated culturally with most of the harmful impacts not located physically near SEVs. For example, more recent research has centered on reports from ex-performers and has started to examine attendance at SEVs when investigating perpetrators of violence against women as outlined below.

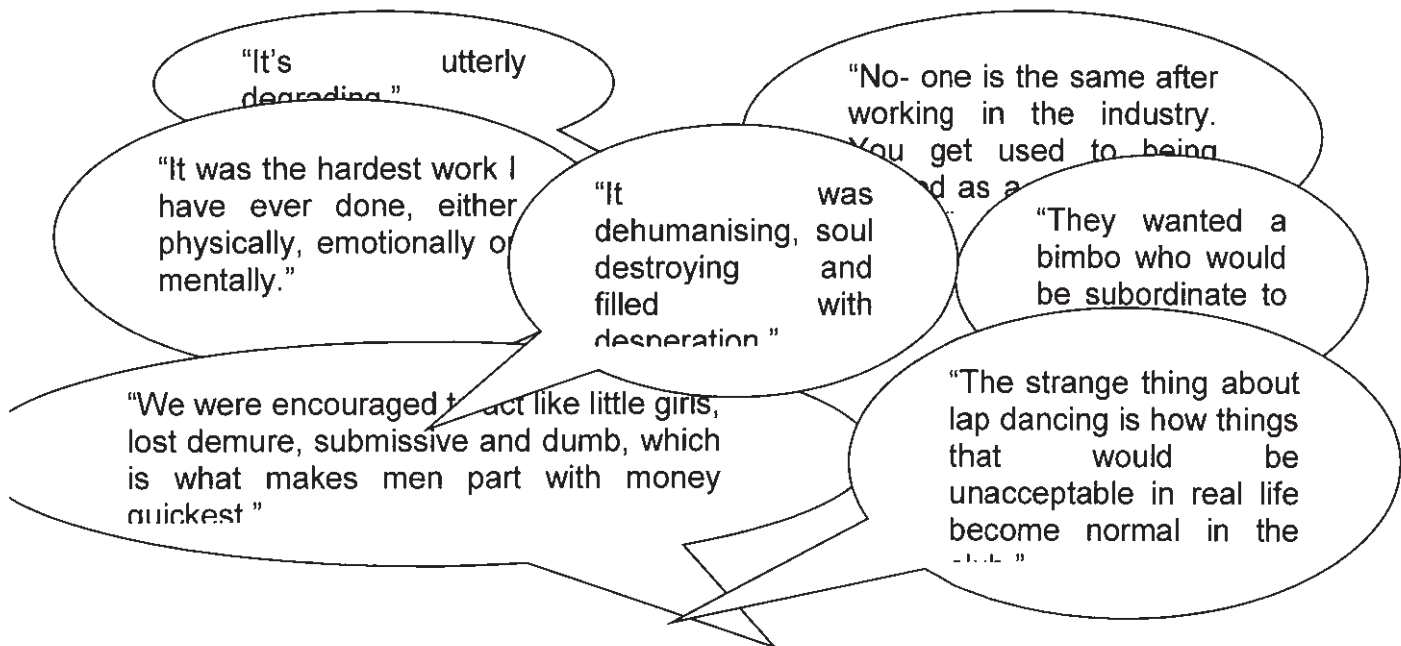
### 2.3 The impacts on performers

There is a small number of women who earn some money by working as performers in the SEV industry.

There are other views in addition to those already cited, that are in the public domain, primarily those gathered by former dancer Jennifer Hayashi Danns in research for her 2011 book<sup>13</sup> and those gathered in a consultation run by Object<sup>14</sup>. A further example is:

'It was not a "gentleman's" club and I failed to understand what was so gentlemanly about an intoxicated man using derogatory language towards me, pestering me for sex and getting off on my naked body.'<sup>15</sup>

In their own words: former SEV performers reflecting on their experience:-



<sup>11</sup> <http://everydaysexism.com/>

<sup>12</sup> See Rape Crisis England and Wales who cite the Crime Survey England and Wales statistics from 2013 <http://rapecrisis.org.uk/statistics.php>

<sup>13</sup> *Stripped: The Bare Reality of Lap Dancing* by Jennifer Hayashi Danns with Sandrine Leveque

<sup>14</sup> Stripping the Illusion: the Lap Dancing Industry Exposed. <https://www.youtube.com/watch?v=Cwg57pLJZUI>

<sup>15</sup> *Stripped: The Bare Reality of Lap Dancing* by Jennifer Hayashi Danns with Sandrine Leveque (p.13)

"Men would come in and ask the manager did she have any black girls and I would be wheeled out like a prize cow. At the time it seemed normal, but with hindsight..."

"Men need to stop thinking that it's OK to pay for sexual entertainment. Paying for it doesn't just hurt the women providing that service. It hurts all women. It hurts all of us."

"Many parts of my time in dancing are difficult to talk about. Often if someone asked me about my experience as a dancer I have responded with a socially acceptable answer, and simply asserted that I enjoyed dancing, that I made a lot of money, but in the end dancing was not for me. This explanation in no way conveyed the extremity of emotion and mental distress I experienced as a dancer, and in no way conveys the sexual degradation and humiliation I experienced and observed during my short dancing career."

Performers at the clubs are self-employed women, while others who work in SEVs (e.g. door staff) tend to have employment contracts with associated job security and privileges. Research shows that women who work in SEVs are subject to high levels of abusive behaviour by customers; research in the U.S. (Holsopple 1998)<sup>16</sup> found that 100% of the women working in lap dancing who were surveyed reported that they had experienced physical violence from customers. All the women had been sexually abused and verbally harassed in the club. Sanders and Hardy in 2011<sup>17</sup> highlighted how almost half the SEV workers interviewed in their UK study reported frequent verbal harassment and unwanted touching from customers (in other words,

<sup>16</sup> Holsopple, K (1998) *Strip Clubs According to Strippers: Exposing Workplace Sexual Violence*, available online at <http://www.uri.edu/artsci/wms/hughes/stripc1.htm>

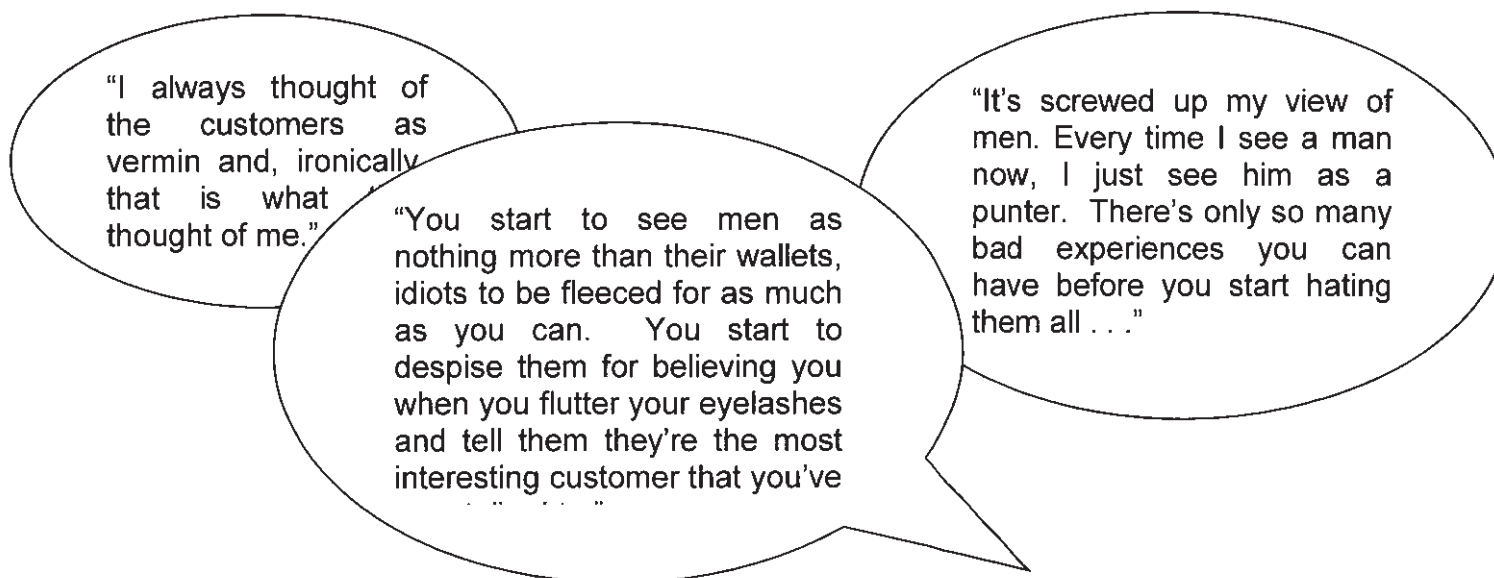
<sup>17</sup> Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. Leeds: University of Leeds Available from: [http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory\\_Dance/FINALSUMMARYJAN2012.pdf](http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory_Dance/FINALSUMMARYJAN2012.pdf)

sexual assault). However the reality is that this behaviour is frequently (a) tolerated/accepted and (b) not reported to the authorities. There are significant factors driving this toleration and non-reporting, including the financial incentive for performers to accept touching and other sexual contact, regardless of rules or their own feelings about it, in order to compete with other performers for custom in a context where they have to pay the SEV for the privilege of being able to perform, and such competition is driven by SEV managers arranging that there are more performers than customers. The Licensing Objective the 'Prevention of crime and disorder' is just that, and must not be interpreted as the 'Prevention of specific types of crime and disorder which are reported to the police and acted on by the police'. Of concern, in December 2016 it was reported that men are secretly filming performers and posting the videos online, both without their consent<sup>18</sup>.

## 2.4 The impacts on relations between the sexes

The above views of sex workers about the punters axiomatically undermine gender equality and do not foster good relations between men and women. As former lap dancer Jennifer Hayashi Danns tells Kat Banyard 'the idea that the sex industry is sex-positive and liberal [is] an absolute joke' and that lap dancing clubs like the one she used to work in are 'just a manifestation of gender inequality.'<sup>19</sup> Danns also highlights the link between men's dehumanisation of women performers in SEVs which runs counter to any notion of gender equality that any Council, or indeed any official body, claims to promote: 'a sex worker describes punters who came straight from lap dancing clubs as unwilling to acknowledge that women were human or individual . . . There was a very aggressive 'pack mentality' and they would ... make very degrading comments about the way that women looked.'<sup>20</sup>

The following quotes highlight how SEVs are antithetical to the fostering of good relations between the sexes:



<sup>18</sup> Independent 23<sup>rd</sup> December 2016 *Lap dancers reveal men sneak hidden cameras into strip clubs and post videos online*  
Available from: <http://www.independent.co.uk/life-style/love-sex/lap-dancers-strip-clubs-hidden-cameras-videos-post-online-privacy-strippers-a7492036.html>

<sup>19</sup> Cited in Banyard, K. (2016: p. 140) *Pimp State: Sex, Money and the Future of Equality*. Faber and Faber, London

<sup>20</sup> Guardian 10<sup>th</sup> November 2011 *The truth about life as a lap-dancer*. Available from: <https://www.theguardian.com/lifeandstyle/2011/nov/10/truth-lap-dancer-clubs>

In their UK study published in 2011 Sanders and Hardy<sup>21</sup> reported that 30% of the women performers interviewed said that as a result of doing the job they had lost respect for men, a finding echoed in the testimonies of former performers and which is of relevance to the Council's duty under equality legislation to have due regard to the need to foster good relations between men and women.

Former lap dancer "Elena" told the Guardian that 'Lap-dancing reinforced all [her] negative beliefs about herself and about men. "The men just see you as an object, not a person, and whether you are equally engaged in their desire is irrelevant. **Increasingly, you learn to despise the men because of the way they perceive you.** Lap-dancing is about creating a situation whereby the men feel they are doing you a favour - that's the way the game is set up, so all the power is with the customer." She believes that for men who visit lap-dancing clubs, enjoyment derives primarily from handing over the money, not from the dance itself.'<sup>22</sup> (emphasis added)  
As these posters on a Digital Spy forum thread about strip clubs observe<sup>23</sup>

**Report**   **Link to**

41   11

149. **ladivina69**  
8 Feb 2012 09:26

309. **Andrew**  
8 Feb 2012 11:55

I have observed the affect they have on my friends who see them as harmless. Their attitude to women has deteriorated over the years, now viewing women as objects to be bought and sold. One friend claimed it is harmless fun, a great way for a girl to pay her way through college. When I said he wouldn't mind then if his sister worked in one he soon changed his tune, says it all really.

My daughter is a dancer and its not harmless fun. In order to bear dealing with this degrading and soul destroying work the girls drink too much and endure the worst aspects of male nature. She has become cynical, jaded and doesnt have relationships any more. She thinks that men are all untrustworthy and only after what they can get away with. Its not really a job to be proud of.

**Report**   **Link to**

35   20

**Report**   **Link to**

73   43

There are also numerous threads on Mumsnet discussing the impact on their relationships when women discover that their partners have been to an SEV.<sup>24</sup>

Several former performers have also spoken about the intense competitive nature between performers where they outnumber customers. This also does not foster good relations with other members of the female sex.

## 2.5 The impacts on women's freedom of movement

In addition to the normalisation of the sexualisation of women, there is discrimination against women. As Kolvin (2010) cites the Royal Town Planning Institute's *Gender and Spatial Planning Good Practice Note*:

<sup>21</sup> Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. Leeds: University of Leeds

<sup>22</sup> The Guardian 19<sup>th</sup> March 2008 *I was seen as an object, not a person*  
<https://www.theguardian.com/world/2008/mar/19/gender.uk>

<sup>23</sup> <http://forums.digitalspy.co.uk/showthread.php?t=1464449>

<sup>24</sup> See for example: <http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club;>  
<http://www.mumsnet.com/Talk/relationships/1245716-DH-went-to-strip-club-last-night-3-dances-Am-I-stupid-naive-to-feel-so-sad-about-it> ; <http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club;>  
<http://www.mumsnet.com/Talk/relationships/a1626235-Husband-had-a-lap-dance> ;  
<http://www.mumsnet.com/Talk/am-i-being-unreasonable/a2123339-Am-i-being-unreasonable-to-not-be-ok-with-my-husband-going-to-a-strip-club> and <http://www.mumsnet.com/Talk/relationships/a1726433-Am-I-over-reacting-Strip-club> (NB: this is a sample- there are a lot more discussions on this topic)

'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'<sup>25</sup>

Kolvin continues with:

'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'<sup>26</sup> (ibid).

which is further corroborated by 2012 research published in *Criminal Justice Matters* which states that:

'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'<sup>27</sup>

This fear of crime [ie sexual violence] is frequently expressed by a significant number of objectors to SEVs.

### **3 EVIDENCE THAT SEVS REDUCE EQUALITY AND PROVIDE A CONDUCTIVE CONTEXT FOR VIOLENCE AGAINST WOMEN**

#### **3.1 Background**

HM Government reports that there were an estimated 1.35 million female victims of domestic abuse in 2014 and nearly 450,000 victims of sexual violence<sup>28</sup>. It states

'Violence against women and girls is both a cause and consequence of gender inequality. We will continue to challenge the deep-rooted social norms, attitudes and behaviours that discriminate against and limit women and girls across all communities'<sup>29</sup>

The same report states under the heading *Night Time Economy*:

'While crime in the night time economy has been falling steadily during the past years, we know that 36% of victims of serious sexual assault reported that the offender was under the influence of alcohol [Focus on Violent Crime and Sexual Offences: 2013/14]. We will continue to encourage local areas to prevent violence against women and girls in the night time economy...'<sup>30</sup>

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<sup>25</sup> Op cit. p.87

<sup>26</sup> Ibid

<sup>27</sup> Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in *Criminal Justice Matters*, 88:1, 10-12.

<sup>28</sup> HM Government, *Ending Violence against Women and Girls Strategy 2016 – 2020* Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/522166/VAWG\\_Strategy\\_FINAL\\_PUBLICATION\\_MASTER\\_vRB.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF)

<sup>29</sup> HM Government, *Ending Violence against Women and Girls Strategy 2016 – 2020* (p. 16) Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/522166/VAWG\\_Strategy\\_FINAL\\_PUBLICATION\\_MASTER\\_vRB.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF)

<sup>30</sup> Ibid

A 2014 study of male undergraduates demonstrates how heavy drinking and sexual violence is mediated by the extent to which men engage in sexually objectifying women

'alcohol use intensifies the objectification of women in a manner that increases sexual violence risk'<sup>31</sup>

On 5<sup>th</sup> March 2014 *The Independent* published findings of the Violence Against Women report by the *European Agency of Fundamental Rights* (FRA) highlighting how half of women in Britain admit they have been physically or sexually assaulted, higher than the 1 in 3 women from across Europe who will be a victim of violence in their lifetime.<sup>32</sup>

2008 research shows how domestic violence perpetrators who access the sex industry (pornography and strip clubs) use more controlling behaviours than those who do not.<sup>33</sup> Coercively controlling behavior is the biggest risk factor for fatal domestic abuse and is now enshrined in legislation: Section 76 of the Serious Crime Act 2015 - Controlling or Coercive Behaviour in an Intimate or Family Relationship.<sup>34</sup> Furthermore, there is a wealth of practice-based evidence from the women's domestic abuse and sexual violence sector of women disclosing how their abusers access pornography, prostitution and strip clubs.

On average, two women per week are murdered by a former or current partner in the UK.<sup>35</sup> Karen Ingala Smith who created the Femicide Census recording murders of women by men writes:

'One of the most important things about the Femicide Census is that we look beyond intimate partner violence, to fatal violence from other male family members, from sons, from strangers, and including men who pay for sex. Doing this helps us see the bigger picture; identifying the commonalities across the different contexts of men's violence against women can help us see its root causes. This is essential if we're really serious about reducing men's violence against women and girls. Continuing to improve policing and justice responses is vital, but these alone won't bring about the reduction in men's violence against women that we want, if we don't change the attitudes and inequality that foster it.'<sup>36</sup>

Furthermore, in the Femicide database of the 936 women killed by men between 2009 and 2015, Ingala Smith states:

'it is known that at least 21 of the women killed had links to prostitution or pornography, and we think this will be an undercount. In my opinion, prostitution is financially compensated rape and prostitution and pornography are eroticised inequality. You can't

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<sup>31</sup> Gervais, S. J., DiLillo, D., & McChargue, D. (2014) *Psychology of Violence Understanding the Link Between Men's Alcohol Use and Sexual Violence Perpetration: The Mediating Role of Sexual Objectification*.

<sup>32</sup> <http://www.independent.co.uk/news/uk/home-news/the-violence-epidemic-half-of-women-in-britain-admit-they-have-been-physically-or-sexually-assaulted-9169143.html>

<sup>33</sup> Simmons, C. A., Lehmann, P. & Collier-Tenison, C (2008) *Violence Against Women 14 Linking Male Use of the Sex Industry to Controlling Behaviors in Violent Relationships: An Exploratory Analysis*

<sup>34</sup> [http://www.cps.gov.uk/legal/a\\_to\\_c/controlling\\_or\\_coercive\\_behaviour/#a01](http://www.cps.gov.uk/legal/a_to_c/controlling_or_coercive_behaviour/#a01)

<sup>35</sup> Women's Aid <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/how-common-is-domestic-abuse/>

<sup>36</sup> Guardian 7<sup>th</sup> December 2016 *Why does a woman stay with a violent man? Sometimes, to save her life* <https://www.theguardian.com/commentisfree/2016/dec/07/femicide-census-violence-against-women>



have one sex overwhelmingly sold as a commodity and the other the purchaser, without sex inequality and without reinforcing that inequality.<sup>37</sup>

### 3.2 Joining up the dots: research and evidence

In addition to the incompatibility of SEVs and the PSED, a number of specialist agencies whose agenda is to promote gender equality and end violence against women identify SEVs as harmful and wish to see a nil cap.

In a multinational study of male violence against women published in 2013 by the United Nations<sup>38</sup>, the most common motivation of men who have admitted to rape is the **belief that they are entitled to sex** even without the female partner's consent. This study interviewed 10,000 men and 1 in 4 had raped their wife, their partner or another woman. That is not an insignificant minority of men. Entitlement, which is the stock in trade of lap dancing clubs, is the main motivation given by men who rape. The most commonly identified attitudinal risk factor for men's sexual and domestic violence and coercion against women globally stems from gender inequality - a belief in the dominance of men, and their needs or wishes and bodies, over women.<sup>39</sup>

In a study for the *Journal of Sex Research* (Frank 2003)<sup>40</sup>, more than half the men interviewed said they were motivated to visit lap dancing clubs to get away from what they saw as the rules for behaviour that constrained them - that is, **treating women equally** - for example when interacting with female colleagues at work. That is not an insignificant minority of men. One participant said of visiting a lap dancing club:

"You can go in there and shop for a **piece of meat**, quote unquote, so to speak. I mean, you want to see a **girl** run around naked, have her come over, pay her to do a dance or two or three and walk away and not even ask her name. Total distancing."

Similarly, a post on Sheffield Forum about Spearmint Rhino stated<sup>41</sup>:

27/05/2014, 12:18

**helhol**  
Registered User



Joined: Jul 2011  
Location: Brighton s20  
Total Posts: 1,195

Quote:

Originally Posted by **edsballs** ↘  
*This type of place is the last bastion for male sexism*

*Having said that there is some fine ladies dancing there*

*Fine females, like being in a butchers with prime rump on display*

*I personally would never go in, it attracts a certain kind of male*

my niece works at the one in Leicester (as a waitress/bar tender) honestly, and she could tell a few stories what goes on in there, luckily she has her head on her shoulders so stays clean and above the law x

quote

<sup>37</sup> Ibid

<sup>38</sup> UN Women 10<sup>th</sup> September 2013 *Half of men report using violence and a quarter perpetrate rape according to UN survey of 10,000 men in Asia- survey* <http://www.unwomen.org/en/news/stories/2013/9/half-of-men-report-using-violence-and-a-quarter-perpetrate-rape-according-to-un-survey>

<sup>39</sup> Ricardo, C., Eads, M. & Barker, G. (2011). *Engaging Boys and Men in the Prevention of Sexual Violence*. Sexual Violence Research Initiative and Promundo. Pretoria, South Africa and Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. & Lang, J. (2013). *Why Do Some Men Use Violence Against Women and How Can We Prevent it. Quantitative Findings from the United Nations Multi-Country Study on Men and Violence in Asia and the Pacific*. Bangkok: United Nations Development Programme, United Nations Population Fund, United Nations Women and United Nations Volunteers.

<sup>40</sup> Frank, K. (2003) *Journal of Sex Research*, 40, 61-75 *Just Trying to Relax: Masculinity, Masculinizing Practices, and Strip Club Regulars*

<sup>41</sup> <http://www.sheffieldforum.co.uk/showthread.php?t=1283563&highlight=spearmint+rhino&page=2>

This is manifestly incompatible local authorities' gender equality duties.

A psychological research study published in 2014 which used male students as its study population concluded that the frequently documented association between heavy drinking and sexual violence is mediated by the extent to which men engage in sexually objectifying women. In other words, **'alcohol use intensifies the objectification of women in a manner that increases sexual violence risk'**<sup>42</sup>. SEVs provide alcohol and encourage sexual objectification.

Sexual objectification is not equivalent to sexiness or sexuality or sexual enjoyment – sexual objectification is a barrier to the development and enjoyment of authentic mutually satisfying sexual relationships where women and men are equally valued and in charge of their own sexuality.

- ... The sexual objectification of women, as encouraged by and practised in SEVs, acts to reinforce gender inequality<sup>43</sup>.
- ... Sexual objectification dehumanises women<sup>44</sup>.
- ... Male domestic violence offenders using the sex industry use more forms of aggressive violence and more controlling behaviours than those who do not use the sex industry<sup>45</sup>.
- ... After being exposed to images that sexually objectify women, men are significantly more accepting of sexual harassment, interpersonal violence, rape myths and sex role stereotypes – all of which act to reinforce gender inequality<sup>46</sup>. Importantly, this increased acceptance of harmful attitudes is not confined to particular women but generalises to women as a group.

Pornified and sexualized culture also impacts on girls' self-esteem, confidence and their value. As the GirlGuiding Girls' Attitudes Survey 2016 states:

'Girls are saying they can't do the things they'd like because they don't feel safe or because of double standards on what behaviours are acceptable or what roles are open to them compared with boys... From as young as seven, girls feel the impact of daily sexist images of women and girls in the media, online and all around them. Girls tell us that sexist objectification of women in the media makes them feel disempowered and that gender stereotypes make them feel that their gender will hold them back in life. They tell us they have to confront intense and unobtainable appearance pressures to be perfect and many say they feel they're not good enough... Overwhelmingly, girls want to live in a world without gender stereotypes, where women and girls aren't judged on how they look, where they are safe and where people are not discriminated against.' (p2)

It reported that 61% of girls aged 11-21 have experienced people criticising their bodies (p7), 70% of girls aged 11-21 say sexism is so widespread it affects most areas of their lives (p9), 21%

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<sup>42</sup> Gervais, S. J., DiLillo, D., & McChargue, D. (2014, January 13) *Psychology of Violence Understanding the Link Between Men's Alcohol Use and Sexual Violence Perpetration: The Mediating Role of Sexual Objectification*.

<sup>43</sup> See for example the Home Office Sexualisation Review (Papadopoulos, 2010); Heflick & Goldenberg (2009); Heilman & Stopeck (1985); Nicolson (1996); Rudman & Borgida (1995).

<sup>44</sup> Loughnan et al. (2010) *Eur. J. Soc. Psychol.* 40, 709–717

<sup>45</sup> Simmons et al. (2008) *Violence Against Women* 14: 406

<sup>46</sup> See the review of the American Psychological Association (2007) and see also for example Allen, D'Alession & Brezgel (1995); Lanis and Covell (1995); Zillman & Weaver (1989).

of girls aged 17-21 experience street harassment and 44% change their behaviour to avoid this. (p14).<sup>47</sup>

### 3.3 Modern policy approaches to preventing violence against women and girls

Evidence-based research has now resulted in recommendations that the most effective way to reduce the prevalence of men's violence against women is to refocus on **community-level prevention**: that is, to change the cultural conditions which are facilitating men's belief that they are entitled to harass, abuse and violate women. These cultural conditions underpin the behaviour of individual men.<sup>48</sup>

### 3.4. A culture of harm

SEVs promote harmful attitudes to women and run counter to promoting equality between women and men; we reiterate that these are not moral objections. SEVs reproduce and promote the prevailing financial and social inequality between women and men in our society, and they reproduce and promote the prevailing cultural assumption that women's bodies are objects to which men are entitled to have access. Citing examples of women accessing these clubs as customers, as has been done, as though this implies gender equality objectives are being achieved illustrates a clear lack of understanding of equality issues.

There is evidence that women working in SEVs - and women encountering men who have been using SEVs - come to direct harm. Our argument is that in addition to the negative impacts on gender equality and individual women's fear of and experiences of male violence, SEVs are part of a wider culture of harm, which is addressed in Paragraph 1, Article 12 of the Istanbul Convention a Bill for which passed through its third reading at the House of Commons on 24th February 2017, voted in by 138 MPs.<sup>49</sup>:

'Parties shall take the necessary measures to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men'<sup>50</sup>

which Hester and Lilley (2016 p.7) expand thus:

'The purpose of Article 12 is to reach the hearts and minds of individuals to ensure changes in mind-sets, attitudes and beliefs towards women, their role and status in society, their sexuality, as well as women's agency. The ultimate aim is to change the behaviour of men and women, boys and girls, that is currently all too often influenced by prejudice, gender stereotypes or gender-biased customs and traditions, and that helps to perpetrate or condone violence against women (Article 12, paragraphs 1 and 2).'<sup>51</sup>

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<sup>47</sup> <https://www.girlguiding.org.uk/globalassets/docs-and-resources/research-and-campaigns/girls-attitudes-survey-2016.pdf>

<sup>48</sup> Hester M., & Lilley, S.J. (2014) *Preventing violence against women: Article 12 of the Istanbul Convention*. Council of Europe, Strasbourg; Jewkes, R., Flood, M., & Lang, J. (2015). From work with men and boys to changes of social norms and reduction of inequities in gender relations: a conceptual shift in prevention of violence against women and girls. *The Lancet*, 385, (Issue 9977), 1580 – 1589; Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. & Lang, J. (2013). *Why Do Some Men Use Violence Against Women and How Can We Prevent it. Quantitative Findings from the United Nations Multi-Country Study on Men and Violence in Asia and the Pacific*. Bangkok: United Nations Development Programme, United Nations Population Fund, United Nations Women and United Nations Volunteers.

<sup>49</sup> <https://makingherstory.org.uk/2017/02/26/change-herstory-istanbul-convention/>

<sup>50</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008482e>

<sup>51</sup> Preventing violence against women: Article 12 of the Istanbul Convention (2016) <https://edoc.coe.int/en/violence-against-women/7140-preventing-violence-against-women-article-12-of-the-istanbul-convention.html>

The British Council 2016 response to the UN Sustainable Development Goals (SDGs)<sup>52</sup> also recognizes how

'Cultural platforms influence, shape and challenge the world through their stories, and stakeholders draw a clear link between stereotyped and sexist representations in dominant culture and the unfair treatment of women in society.' (p.4)<sup>53</sup>

This new focus on violence against women is beginning to be reflected in policy and legislation. In 2015, as part of the revision to Scottish licensing law, an amendment to legislation was passed and enacted (the Air Weapons and Licensing (Scotland) Act 2015) which in S76<sup>54</sup> formally recognises the relevance of SEVs to violence against women:

- '(3) In preparing a SEV policy statement, a local authority must—
- (a) consider the impact of the licensing of sexual entertainment venues in their area, having regard, in particular, to how it will affect the objectives of—
    - (i) preventing public nuisance, crime and disorder,
    - (ii) securing public safety,
    - (iii) protecting children and young people from harm,
    - (iv) **reducing violence against women**, and
  - (b) consult such persons or bodies as they consider appropriate.' (emphasis added)

## 4 LEGAL MATTERS

### 4.1 Background

Guidance issued by the Home Office states that the purpose of the SEV legislation is **"to give local people a greater say over the number and location of lap dancing clubs in their area"**. The importance of allowing public bodies to make honest, reasonable and sound decisions has been reflected in the licensing costs cases of *City of Bradford Metropolitan District Council v Booth* [2000] LLR 151 and *Perinpanathan v City of Westminster Magistrates* [2008] CO/2547/2008. While the possibility of a judicial challenge may be a cause for concern, these cases emphasise that if the authority acts in an honest, reasonable and proper manner then the decision is considered prima facie by a reviewing court to be the one to which they should hold unless there are other good reasons for this not to be the case, such as some impropriety.

In 2014 Ranjit Bhowse QC, Philip Kolvin QC and Josef Cannon reviewed two recent judgements (*R (Bean Leisure Trading A Limited) v Leeds City Council* and *R (Ruby May (1) Ltd) v Leeds City Council*) for the Local Government Lawyer website in which they concluded:

'In two recent decisions the courts have affirmed the wide powers enjoyed by licensing authorities to refuse renewals of licences for lap dancing clubs'

They also note that:

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<sup>52</sup> <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>

<sup>53</sup> British Council research on gender equality and empowering women and girls in the UK: Meeting the challenge of the Sustainable Development Goals (SDGs): <https://www.britishcouncil.org/society/womens-and-girls-empowerment/gender-equality-uk>

<sup>54</sup> <http://www.legislation.gov.uk/asp/2015/10/section/76/enacted>

'licensing authorities are entitled to 'have a fresh look' at an application for renewal of an SEV licence, and may refuse to renew even when there is no material change in circumstance.'<sup>55</sup>

Guidance by human rights law expert Dr James Harrison, Director of the Centre for Human Rights in Practice at the University of Warwick, confirms that refusal to renew is not a breach of human rights law.<sup>56</sup>

In the case of London Borough of Wandsworth ex parte Darker Enterprises Limited, R V [1999] WEHC Admin 34 para 46, Mr Justice Turner stated

'It is, in my judgment, an inescapable fact that the Act of 1982 expressly contemplates the possibility that the circumstances in which a licence had been granted or renewed might change; hence the provisions of paragraph 12 of the 3<sup>rd</sup> Schedule, which apply not just in respect of the grant but, more importantly, also on the renewal of a licence. Thus the proposition that an existing licence holder can expect that he will be granted a licence in perpetuity for any given set of premises is plainly wrong'.

## 5 ADDITIONAL CONSIDERATIONS

It is important to note that there is no evidence at all that the activity currently licensed in SEVs (i.e. not prostitution but nude sexual performance) would 'go underground' if councils did not renew or award licenses to SEVs or that 'occasional' (unlicensed) performances would increase in number as though there were an inevitable fixed market for striptease. Local authorities are asked to note strip clubs (along with the purchase of sex and hardcore pornography) were banned in Iceland in 2010 and the country ranked 1<sup>st</sup> place in the Global Gender Gap Report in 2012<sup>57</sup> and has consistently remained so until 2016.<sup>58</sup> It is believed that the country will be the first to close its gender pay gap completely.<sup>59</sup> Whereas the UK is slipping down the international league table on gender equality. In 2006, Britain was 9th in the World Economic Forum's gender equality league table. We currently rank 48th in the world for women's representation in parliament, and at the current rate of progress it will take 62 years to close the gender pay gap.<sup>60</sup>

The aforementioned Sanders and Hardy 2011<sup>61</sup> study found that the industry was fuelled by the supply of performers, not by a demand for performances. Further research supports the success of policy approaches that reduce demand for the trade in sex by acting on supply: levels of demand for the trade vary between countries, over time and according to the cultural and legal

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[http://www.localgovernmentlawyer.co.uk/index.php?option=com\\_content&view=article&id=17968%3A%3Aap-dance-no-more&catid=49%3Acomment-a-analysis-articles&Itemid=1](http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=17968%3A%3Aap-dance-no-more&catid=49%3Acomment-a-analysis-articles&Itemid=1)

<sup>56</sup> <https://coventrywomensvoices.wordpress.com/2011/09/23/sex-entertainment-venues-and-the-human-rights-act/>

<sup>57</sup> Al Jazeera 2<sup>nd</sup> April 2013 *Creating gender equity: Lessons from Iceland*

<http://www.aljazeera.com/indepth/opinion/2013/04/20134274739879996.html>

<sup>58</sup> Guardian 24<sup>th</sup> October 2016 *Why Iceland is the best place in the world to be a woman*

<https://www.theguardian.com/lifeandstyle/2016/oct/24/iceland-best-place-to-be-women-equal-gender-maternity>

<sup>59</sup> Quartz 19<sup>th</sup> January 2016 *Iceland could be the first country to close its gender gap completely*

<https://qz.com/597278/iceland-could-be-the-first-country-to-close-its-gender-gap-completely/>

<sup>60</sup> The Fawcett Society 2017 *Sounds Familiar?* <http://www.fawcettsociety.org.uk/wp-content/uploads/2017/01/Sounds-Familiar-January-2017.pdf>

<sup>61</sup> Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*.

Leeds: University of Leeds Available from:

[http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory\\_Dance/FINALSUMMARYJAN2012.pdf](http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory_Dance/FINALSUMMARYJAN2012.pdf)

context. Here in the UK the number of men who pay for sex doubled during the 1990s along with the growth in numbers of SEVs, with the rate increasing from one in 20 men to nearly one in 10 men. If demand can grow, it can also shrink. And that is exactly what countries like Sweden and Norway have shown through their adoption of the Sex Buyer Law, which criminalises the buyer only.

An investigation into the consequences of that law by the Swedish government found that street prostitution in Sweden halved during the period 1999-2008 and there is no evidence these women were simply displaced to indoor prostitution or prostitution advertised online. The number of men paying for sex in Sweden also declined. A Swedish survey in 1996 found 13.6% of men reported buying sex, while a similar survey in 2008 found this figure had dropped to 7.9%.

Research conducted by the Child and Woman Abuse Studies Unit at London Metropolitan University with 137 men who paid women for sex found 'the accounts of men who had paid for sex overseas confirm that legality contributes to normalisation, which in turn increases the likelihood of paying for sex.'<sup>62</sup> In the context of SEVs a local authority policy that permits the licensing of SEVs contributes to normalisation in the same way which directly contradicts the Council's statement in the Policy that it wishes to work to combat the normalisation of the objectification of women.

## 6 OTHER ISSUES

Local authorities should also adhere to Section 141 of the Licensing Act 2003<sup>63</sup> makes it an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises. In light of the recent case of Gil David who it is reported claimed that Spearmint Rhino had "exploited" his drunkenness and stated 'I wasn't in control of my faculties and didn't realise what I was spending.' He added 'I was coerced into spending a third of my salary in five hours.'<sup>64</sup>

## Summary

We believe that the presence of SEVs undermines gender equality and creates unsafe spaces for women.

Whilst there has been a steady mainstreaming and normalisation of the sexualisation and objectification of women, we are also experiencing a cultural shift with many in society rejecting these values as illustrated by recent successes in the *No More Page Three*<sup>65</sup>, *Lose the Lad Mags*<sup>66</sup> and *Banknote*<sup>67</sup> campaigns.

In a 2016 report published by the Fawcett Society, it states:

'There is a strong bedrock of support for equality between men and women – in 2016 it's time to speed up the pace of change and ensure we aren't waiting another 150 years to achieve it.'(p. 2)<sup>68</sup>

This, combined with growing evidence that many men are eschewing the traditional stag night strip club outing and the growing number of license refusals<sup>69</sup> and nil caps being adopted by local

<sup>62</sup> From the website of End Demand: <http://enddemand.uk/about/frequently-asked-questions/>

<sup>63</sup> [http://www.cps.gov.uk/legal/l\\_to\\_o/licensing\\_of\\_alcohol/#introduction](http://www.cps.gov.uk/legal/l_to_o/licensing_of_alcohol/#introduction)

<sup>64</sup> <http://www.bbc.co.uk/news/uk-northern-ireland-30013478>

<sup>65</sup> [https://en.wikipedia.org/wiki/No\\_More\\_Page\\_3](https://en.wikipedia.org/wiki/No_More_Page_3)

<sup>66</sup> <https://www.theguardian.com/media/2015/nov/17/fhm-zoo-magazines-suspend-publication>

<sup>67</sup> <https://www.channel4.com/news/jane-austen-banknote-money-bank-of-england-carney>

<sup>68</sup> <http://www.fawcettsociety.org.uk/wp-content/uploads/2016/01/Sex-equality-state-of-the-nation-230116.pdf>

<sup>69</sup> <https://sevlicensing.wordpress.com/about/> see also Eden Lounge Exeter <http://www.exeterexpressandecho.co.uk/exeter-strip-club-eden-lounge-loses-licence/story-27522405-detail/story.html>

authorities, indicates that strip clubs are increasingly being recognised and understood to be sexist and antithetical to gender equality and the Public Sector Equality Duty.

As such, we urge the Council to respond to the growing body of research evidence about the harmful impact of SEVs and to be part of this change thereby demonstrating its avowed commitment to 'reduce the normalisation of the sexualisation and objectification of women, avoid exploitation of women and to promote healthy sexual practices.' (para 9, p.1)<sup>70</sup>

**Zero Option** is a Sheffield based campaign group whose aims are:

- 2. To lobby Sheffield City Council to adopt the zero option (nil cap) in its Sexual Entertainment Venue (SEV) Policy for the number of permitted SEVs within the city boundaries.
- 2. To lobby nationally for the recognition of SEVs as a form of violence against women.
- 2. To support individuals, groups and organisations with similar aims locally, nationally and globally.
- 2. To raise awareness of the appalling employment and working conditions of lap and pole dancers and strippers working in SEVs.
- 2. To raise awareness of gender inequality within the wider community caused and propagated by the objectification and commodification of women in SEVs.

We are also increasing our national presence and work closely with Not Buying It and other feminist organisations and equality groups.

## **Acknowledgements**

We would like to thank Bristol Fawcett Society who shared their response to Bristol City Council's draft SEV Policy from which we have drawn on a great deal of work and research undertaken by them.

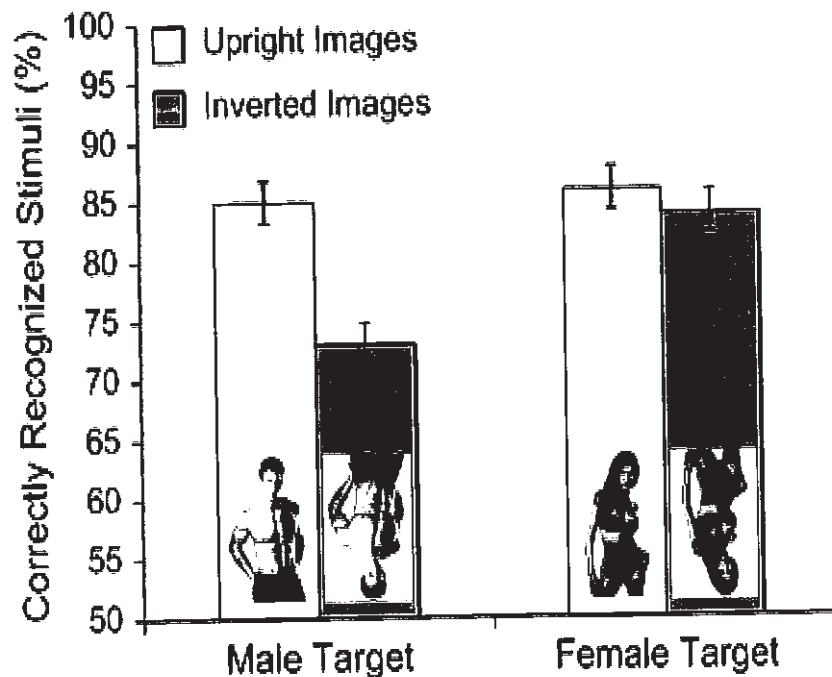
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<sup>70</sup> [https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting\\_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf](https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf)

## OBJECTIFICATION RESEARCH – AN EXAMPLE

The chart below, from an objectification study published in 2012, shows how both men and women in our society are trained by culture (i.e. representations of women in society and in the media) to dehumanise women when they are presented wearing very little, revealing, clothing. In this study, the brains of both men and women (the 'targets') have processed images of women in underwear in the same way as they would process images of objects. However the images of men (whether or not in underwear) are processed using the special part of the brain reserved for humans. This study is one of a growing number of scientifically robust peer-reviewed research studies concerning the objectification of women. Together, they link the objectification of women with dehumanisation and inequality.<sup>71</sup>

*Are women human? – not when they are sex objects.*



**Figure 1.** Percentage of correctly recognized stimuli as a function of target gender and target orientation. Error bars indicate  $\pm 1$  SEM.

“... our findings showed no differences related to participant gender, which suggests that cultural beliefs that women are sex objects are shared by both men and women”

Bernard et al.

<sup>71</sup> Bernard et al. (2012) University of Nebraska - Lincoln *Integrating Sexual Objectification With Object Versus Person Recognition: The Sexualized-BodyInversion Hypothesis* <http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1568&context=psychfacpub>



## Objection 70

Dear Licensing

Please accept our objection to the renewal of Spearmint Rhino license.

Bridget Kelly

Chief Executive  
SHIFT  
322 The Workstation  
15 Paternoster Row  
Sheffield  
S1 2BX

0114-272 6304



Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD  
21st March 2017

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street Sheffield. S1 2BS.

**This is an objection letter to the application for this licence and request that the council refuse to grant such a license**

SHIFT is based in the Workstation in the heart of the Cultural Industries Quarter. This is in itself ground for refusal as the location is a central Hub that Sheffield City Council has invested in as part of the economic and social development of the city.

SHIFT work with 16-18 year old young people, being situated in proximity to a lap dancing club does not demonstrate to those young people positive role models of adult male behaviour or equality between the sexes. Implicit in purchasing a lap dance is the commodification of women. From that position of purchase it is a short step to generalising that behaviour to all women. This underpins the idea that all women are accessible to men as a right. That assumption leads to the erroneous idea that if you own a women then that woman is yours to do with as you like. This is the exact thinking that underpins slavery.

It is within the council, our elected representatives, power to deny this license under the Discretionary Grounds for refusal based on:

- Public Sector Duty and Gender Equality
- Location

- Vicinity near educational institutions

I trust you will exercise this power wisely and with consideration of the 'harm' that such establishment do to not only women and girls but everyone. Men are less than they might be by participating and or sanctioning what is an outmoded and anachronistic activity i.e. purchasing women.

Yours sincerely

Bridget Kelly  
SHIFT Chief Executive

## Objection 71

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD  
20th March 2017

Dear Licensing

I refer to the application for a Sexual Entertainment Venue (SEV) licence by Spearmint Rhino, 60 Brown Street, Sheffield, S1 2BS.

This is an objection letter to the application for this licence with a call for the Council to refuse it.

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy and I support the Zero Option submission in this respect.

There are a number of grounds to object, as outlined by the Zero Option submission, all of which I support. For the purpose of this objection, I have decided to focus on the following aspect of the discretionary grounds for refusing a license:

- d) the grant or renewal of the licence would be inappropriate, having regard:
  - i) to the character of the relevant locality;

### **OBJECTION:**

There are examples from across the Council that exemplify the value placed on the locality in which Spearmint Rhino is positioned. It is distinguished as a cultural hub by way of it being recognised and identified as the Cultural Industries Quarter. There is a variety of tourist attractions including the Showroom Cinema and Site Gallery, an increasing number of people are choosing to live in the area – both students and long term residents – and the education sector has a dominant presence with Sheffield Hallam University and the University Technology College in close proximity.

The value that the Council places on this area is evidenced by the recent consultation on the Knowledge Gateway, and the City Centre Masterplan, both of which have Spearmint Rhino sited in the middle of key areas that are intended for investment and regeneration in order to attract more people there.

See the [Welcome to Sheffield consultation \(closed 28.2.17\) on the Knowledge Gateway –](http://www.welcometosheffield.co.uk/business/developments/the-knowledge-gateway)  
<http://www.welcometosheffield.co.uk/business/developments/the-knowledge-gateway>

*"This project seeks to transform the corridor running along the Lower Sheaf – Porter Valley, including the station to a similar high standard as the highly acclaimed Gold and Steel Routes in City Centre.*

*It will improve links between several key destinations and several potential development sites. For example links within and to the Cultural Industries Quarter, Digital Campus and Sheffield Hallam University and to the Railway Station. It will improve accessibility and safety as well as the environment in order to encourage new investment and jobs. Key locations such as Fitzalan Square and streets will be transformed as part of the initiative.*

*The project recognises that the station is Governments preferred location for an HS2 station which may be 10-15 years away. The station is a key gateway and this project seeks to improve the existing taxi queuing, movement of traffic and pedestrian access. This should all make this area, the corridor and indeed the City Centre much more attractive to inward investment."*

**Includes the following picture which includes the Spearmint Rhino venue –**



Coverage by the local media on the consultation for the Knowledge Gateway:

<http://www.thestar.co.uk/news/public-views-to-shape-sheffield-s-knowledge-gateway-scheme-1-8421645>

Cllr Leigh Bramall said about the scheme:

*"I'm very pleased this part of the scheme is progressing. We have already completed improvements at the University of Sheffield and this part of the project will benefit the areas*

*around Sheffield Hallam University and the Cultural Industries Quarter."*

**See the City Centre Masterplan 2013:**

Pg 41 - Working with Site Gallery, the Student Union, The Workstation/Showroom, the Paternoster Row/Brown St/Hub Square area will be calmed, narrowed and upgraded to create a series of pedestrian priority streets and spaces which can accommodate events and form the focus of the CIQ.

Pg 45 - The extension of high quality, pedestrian priority public spaces from Howard St along Paternoster Row and Brown St, incorporating measures to reduce bus and taxi speeds and taking in the existing Hubs Square. It will become the 'Main Street' for the CIQ with much greater space for events, street cafes, temporary artwork and distinctive night time lighting.

Both these examples – the Knowledge Gateway and the City Centre Masterplan – are evidence of the Council's commitment to raising the profile of the area in which Spearmint Rhino is located. The presence of a Sexual Entertainment Venue, which contradicts the Council's Public Sector Equality Duty to foster good relations between the sexes, is entirely inappropriate and counter to the ambitions and vision of the rest of the Council to attract investment to this area and encourage tourists and residents to frequent and travel through it as a key destination in the city centre.

Yours sincerely

## Objection 72

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

**21.3.2017**

Dear Licensing

I refer to the application for a sexual entertainment venue licence by Spearmint Rhino, 60 Brown Street, Sheffield. S1 2BS.

**This is an objection letter to the application for this licence and I call for the council to refuse it.**

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's Sexual Entertainment Venues Licensing Policy on the following grounds:

### **The Public Sector Equality Duty and Gender Equality**

Sheffield City Council has "statutory obligations in relation to disability race and gender" ensuring that these factors are not used to discriminate against anyone. I believe that a sexual entertainment venue directly discriminates against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

As Philip Kolvin (2010) cites the Royal Town Planning Institute's *Gender and Spatial Planning Good Practice Note*:

*'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable'*<sup>[1]</sup>

Kolvin continues with:

*'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the*

public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'[2].

This is further corroborated by 2012 research published in *Criminal Justice Matters* which states that:

*'. . . the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'*[3]

## **Location**

In its current policy, the Council states:

*"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-*

**a) a school, nursery or other premises substantially used by or for children under 16 years of age;**

There are many educational establishments in the vicinity and Brown Street is also an access route to the Sheffield College Granville Road campus and UTC. It is in close proximity to Freeman College which provides education for students (16 – 25) who have a range of complex learning, mental health and behavioural needs.

The Club is also in the centre of the newly designated "knowledge gateway".

**b) a park or other recreational area used by or for children under 16 years of age;**

There is the much underused recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club. The Club's presence deters many from using that space to its full potential.

**c) a church or other place of religious worship;**

Christ Church Central operates from the Workstation and runs a weekly service.

**d) a Hospital, Mental Incapacity or Disability Centre or similar premises;**

There are a number of charities and organisations in the area which support vulnerable children and adults, some of which cannot be named because of their confidential addresses. However, we are aware that the Council knows which organisations we are referring to

**e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or**

**f) a central gateway to the city or other city landmark, historic building or tourist attraction.**

It is directly opposite the Showroom cinema which hosts family events. It is also opposite the Site Gallery which is undergoing a huge expansion. Spearmint Rhino is also centrally located in terms of proximity to a number of national and international events locations, as well as a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students surrounding the area. The Club is next to Sheffield Hallam Students Union and directly backs onto student accommodation.

### **Additional grounds for refusal**

This image of a high-end establishment portrayed by this SEV goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council's equality policies. The Spearmint Rhino logo is internationally recognised and is synonymous with stripping and the sexual availability and objectification of women. Renewing a licence would be contradictory to other work that the Council does, funds and promotes. Has the Council for example, as per its own policy, carried out an Equality Impact Assessment?

A sexual entertainment venue in the heart of the city, or anywhere in the city, is simply completely contradictory to everything that the council says it stands for, everything that the council should stand for, and has a duty to work towards.

I will fully and actively support the Council in the face of any challenge to the council by giving a refusal.

The Council is asked to note that in the last few years Leeds City Council successfully defended a refusal to renew two SEV licenses at judicial review:

R (Bean Trading A Ltd) v Leeds City Council (2014)

It was held that a council can "take a fresh look" despite no changes to the character of locality. The Council is also asked to note the following from Philip Kolvin regarding licence renewal:

*'Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.'*<sup>[4]</sup>

The case of Thompson v Oxford City Council (2014) was also supported at court of appeal, and the Council told they could "take a fresh look" at any application for renewal.

If the panel feel that they cannot make a refusal decision without further discussion, I would ask that a hearing is held so that the application can be discussed in more detail.

I look forward to hearing from you.

[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87 [2] Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in *Criminal Justice Matters*, 88:1, 10-12. [3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87 [4] p. 90



## Objection 73

Licensing Service  
Block C, Staniforth Road Depot  
Staniforth Road  
Surrey Street  
S9 3HD

21 March 2017

Dear Licensing,

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### **The Public Sector Equality Duty and Gender Equality**

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The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas - subject to the choices of the local communities.

Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections. When walking around this area, which as a Council you encourage people to do due to the other businesses and services in the area, women feel nervous because of the SEV and have to change their behaviour because of it being there, for example having to look around to see if there are people coming out of the SEV, take a different route walking to the centre of town so that they do not have to go past the SEV. Women should not have to feel like this in their city and this is discriminatory.

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(<https://www.google.co.uk/maps/@53.3778743,-1.4645641,3a,75y,323.44h,80.28t/data=!3m6!1e1!3m4!1s8gASUnXBV225wqzIFcI6pw!2e0!7i13312!8i6656!6m1!1e1>)

directly adjacent to the club.

The Club's presence deters many from using that space to its full potential.

**c) a church or other place of religious worship;**

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[4] p. 90

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