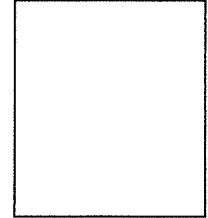




**SHEFFIELD CITY COUNCIL
Committee Report**



Report of: Chief Licensing Officer and Head of Licensing

Date and Time: Thursday 23rd November 2017 at 10am

Subject: Sex Establishment Policy
(Incorporating Sex Shops, Sex Cinemas and Sexual
Entertainment Venues)

Author of Report: Stephen Lonnia

Summary: To seek Members approval on the 'Sex Establishment Policy'
with an effective date of the 1st January 2018

Recommendations: Members of the Licensing Committee to approve the Sex
Establishment Policy.

Background Papers: Not applicable

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER / HEAD OF LICENSING TO THE LICENSING COMMITTEE

Ref 149/17

Sex Establishment Policy (Incorporating Sex Shops, Sex Cinemas and Sexual Entertainment Venues) - Approval

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Members of the results of the consultation process undertaken on Sheffield City Council's new 'Sex Establishments Policy'
- 1.2 To seek Members approval of the final updated 'Sex Establishment Policy' with an effective date as the 1st January 2018.

2.0 BACKGROUND

- 2.1 Sheffield City Council regulates sex establishments through Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act"), in particular sex shops and sex cinemas.
- 2.2 On 6 April 2010 the Policing and Crime Act 2009 ("the 2009 Act") came into force and amended Schedule 3 of the 1982 Act. Sexual Entertainment Venues ("SEVs") were added as a category of sex establishments to enable local authorities to regulate premises, which provide lap dancing, pole dancing, table dancing, strip shows, peep shows and live sex shows and other similar entertainment.
- 2.3 The Council resolved to adopt the new amendments and exercise regulatory control over SEVs in Sheffield effective from 1st May 2011.
- 2.4 Whilst the 1982 Act makes no provision for publishing a Sex Establishment Policy, it is recognised in modern legislation, and as best practice, that policies bring many benefits, including, but not limited to: transparency, accountability, consistency and localism.
- 2.5 The Licensing Authority, acting as the Council, currently has in place a Sexual Entertainment Venue Policy, first published in 2011. The policy deals solely with the licensing of sexual entertainment venues, and does not refer to sex shops or sex cinemas.
- 2.6 The Licensing Authority is proposing a new updated policy to incorporate all three sex establishment categories – sex shops, sex cinemas and sexual entertainment venues. This document creates a unified policy that aims to provide clarity for applicants, Councillors, residents and businesses, local people, and any other interested person.
- 2.7 The Licensing Authority recognises that Parliament has made it lawful to operate a sex establishment and that such businesses are a legitimate part of the retail and leisure industries. The licensing authority's role is to administer the licensing regime in accordance with the law and associated guidance.

2.8 The Sex Establishment Policy requested for approval is attached at **Appendix 'A'**.

3.0 WHAT DOES THE POLICY DEAL WITH?

3.1 The policy deals solely with sex establishment licensing, including, but not limited, to:

- application requirements
- applicant suitability
- numbers
- locations
- conditions
- enforcement

3.2 The policy provides information, guidance and our objectives on all things pertaining to the licensing of sex establishments.

3.3 The policy will guide the Licensing Committee when determining applications and assist the Licensing Authority in administering and enforcing the licensing of sex establishments.

3.4 It provides new applicants and those already licensed clarity as to the Council's approach in one policy document.

4.0 WHAT THE POLICY DELIVERS

4.1 We are proud of Sheffield's reputation as a safe and vibrant city, which at present includes the provision of licensed sex shops and sexual entertainment venues.

4.2 Sheffield City Council has always sought to set some of highest standards in the country, and to be recognised for delivering best practice. This policy ensures that licensed premises operating in our City are of the highest quality and meet our high standards.

4.3 The policy shows our commitment to promote:

- High management standards at licensed sex establishments;
- Public Safety of staff, performers and patrons at sex establishments;
- Safeguarding of staff, performers and patrons at sex establishments; and
- Safeguarding vulnerable persons in the locality of sex establishments

4.4 The policy also assists the Council in achieving its priorities as set out in the Corporate Plan 2015 – 2018 as detailed below.

- **An in touch organisation**

To listen and be responsive, and meet the increasingly diverse needs of the individuals of Sheffield by ensuring we are:

- Intelligent – making full use of information to inform decision making and drive service improvement
- Efficient – continually strive to provide value for money improving quality and outcomes

- **Strong Economy**

Contribute to help achieve our economic potential, be well connected, with skilled individuals and assist businesses by ensuring we have:

- Vibrant City – help get the right mix of business leisure and retail
- Support and develop the licensed business sector and build relationships with businesses to encourage jobs and growth in the city

- **Thriving neighbourhoods and communities**

As a Licensing Authority, we will assist people to have a good quality of life and feel proud and safe of where they live by:

- Assisting in improving community safety by reducing antisocial behaviour.
- Recognises the needs of residents within the city for a safe and healthy environment, in which people want to live, learn, work, invest and visit and ensuring the policy recognises this.
- Ensuring licensees understand the importance of safe well run premises.
- Help local businesses provide well-run and appropriate licensed activity.

- **Better health and wellbeing**

Promote good health, and assist in preventing and tackling ill health:

- Work in partnership with Public Health and the NHS to tackle issues around licensing and ill health.

- **Tackling inequalities**

Help invest in the most deprived communities and support individuals to help themselves

- By providing early help, listening and being responsive.
- Promote equality, diversity and inclusion
- Continue to work with Schools, Colleges and Universities to deliver education around licensing

5.0 CONSULTATION

- 5.1 The Licensing Authority have undertaken a detailed consultation process, consisting of three separate stages detailed at Part 3 of the Sex Establishment Policy attached at **Appendix 'A'**.

6.0 THE RESULTS AND AMENDMENTS TO THE POLICY FOLLOWING CONSULTATION

- 6.1 An overview of all responses are attached at **Appendix 'B'** which include those responses received via Citizen Space.
- 6.2 Full responses and the original policy consultation document which the responses refer to will be available to Members at the meeting.
- 6.3 A questionnaire was also carried out with performers at one of the sexual entertainment venues. Details of the questions and a table of the results are attached at **Appendix 'C'**.

7.0 FINANCIAL IMPLICATIONS

- 7.1 The cost to the licensing service of administering sex establishment licence applications is covered by the licence fee.
- 7.2 The work undertaken on the Sex Establishment Policy has been within the current resources and budget of the Licensing Service.
- 7.3 Any cost of a legal challenge arising from policy or licence decision making cannot be recovered as part of the application fee and would be paid by Sheffield City Council.

8.0 EQUALITIES – PUBLIC SECTOR EQUALITY DUTY

- 8.1 The Public Sector Equality Duty was created by the Equality Act 2010, and replaces the race, disability and gender equality duties. It is supported by the specific duties contained in the Equality Act 2010 (Specific Duties) Regulations 2011.
- 8.2 Those subject to the equality duty must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - Foster good relations between people who share a protected characteristic and those who do not.
- 8.3 These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 8.4 The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.
- 8.5 The equality duty covers nine protected characteristics:
- Age
 - Disability
 - Gender reassignment
 - Marriage and Civil Partnership
 - Pregnancy and maternity
 - Race

- Religion and belief
- Sex
- Sex and sexual orientation

8.6 Members, when making decisions on whether to adopt the policy should consider the above duty.

8.7 In order to aid decision-making an Equality Impact Assessment (EIA) has been completed and approved by the Council's Equality Team and is attached at **Appendix 'D'**. Members should be aware that EIA's are under constant review.

9.0 RECOMMENDATIONS

9.1 That Members of the Licensing Committee approve the Sex Establishment Policy as attached at **Appendix 'A'** with an effective date of 1st January 2018.

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To approve the Sex Establishment Policy as attached at **Appendix 'A'** to come into force on the 1st January 2018.

10.2 To approve the Sex Establishment Policy as attached at **Appendix 'A'** with amendments to come into force on the 1st January 2018.

10.3 To approve the Sex Establishment Policy as attached at **Appendix 'A'** with or without amendments to come into force on an agreed date.

10.4 To defer the Sex Establishment Policy as attached at **Appendix 'A'** for further consideration.

Date: 14th November 2017

Stephen Lonnia
Chief Licensing Officer and Head of Licensing
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APPENDIX 'A'

Draft Sex Establishment Policy Document for Approval

SHEFFIELD CITY COUNCIL

Sex Establishment Policy

Incorporating Sexual Entertainment Venues, Sex Shops and Sex Cinemas

Document title	Draft	Date	Author
Sex Establishment Policy	Draft 1.0	14/2/17	SJL
Sex Establishment Policy	Draft 1.1 – Tracked Changes	20/2/17	
Sex Establishment Policy	Draft 1.2 WIP T.C	24/4/17	?
Sex Establishment Policy	Draft 2.1 CB	25/5/17	CB
Sex Entertainment Venues Policy (Incorporating Sex Shops & Sex Cinemas)	Draft 3.0 L Charalambides – Tracked changes	8/8/17	LC
Sex Establishment Policy	Draft 3.1 L Charalambides – changes accepted – CB Working Document	17/8/17	CB
Sex Establishment Policy	Draft 3.2 L Charalambides – Tracked Changes	10/10/17	LC
Sex Establishment Policy	Draft 4 FINAL draft	12/10/17	CB

DRAFT Version 4

Part 1 - Introduction

Part 2 - Overview

Part 3 - Consultation on this Policy

Part 4- Definitions

Part 5- Integration with other Statutes

Equality Act 2010

Human Rights Act 1998

Provision of Services Regulations 2009

Crime & Disorder Act 1998

Part 6 - The process of applying for a Licence

Objecting to Applications

Determination of Applications

Mandatory grounds for refusal

Discretionary grounds for refusal

Appeals

Part 7 - POLICY

Discretionary Grounds a & b:

Suitability of the Applicant, Manager & Beneficiary Policy

Discretionary Ground c:

Number of Sex Establishments

Discretionary Ground d:

Location

Conditions

Representations

Waivers

Part 8 - Safeguarding and Public Health

Safeguarding

Public Health

Part 9 - Enforcement

Better Regulation Delivery Office: Regulators' Code 2014

Complaints

Data Sharing

Part 10 - Parallel Consent Schemes

The Licensing Act 2003 (the 2003 Act)

Planning and Building Regulation Control

Part 1 – INTRODUCTION

Licensed sex establishments in Sheffield contribute to the recreation, entertainment and night-time economy and provide an additional appeal to residents, tourists, visitors and the students that attend the two universities.

To promote a vibrant city the Licensing Authority regulates the scale, diversity and concentration of all licensed entertainment in an open, fair and legal manner.

This policy provides Sheffield City Council's approach to the regulation and licensing of sex establishments which incorporates sexual entertainment venues, sex shops and sex cinemas, as set out in the Local Government (Miscellaneous Provisions Act) 1982 as amended by the Policing and Crime Act 2009, within the City of Sheffield.

The policy provides a framework to assist applicants and decision makers in making and considering applications and ensuring all relevant factors are given proper attention.

Part 2 – OVERVIEW

The Sheffield City Council Sex Establishment Policy ("the Policy") sets out the City Council's approach to the regulation of all types of sex establishment and the procedure relating to applications for sex establishment licences.

The sex establishments this policy applies to are:

- sexual entertainment venues
- sex cinemas
- sex shops

The aim of this policy is to provide guidance for prospective applicants, existing licence holders, those who may wish to object to an application, South Yorkshire Police and members of the Licensing Committee when determining an application.

This policy will be kept under review and revised where necessary.

Each application will be dealt with on its own merits on a case-by-case basis.

Consideration will be given to the Equality Act 2010, the Human Rights Act 1998, the Provision of Services Regulations 2009 and the Crime and Disorder Act 1998 and the Home Office Guidance for England and Wales on Sexual Entertainment Venues (March 2010).

The City Council does not take a moral stance in adopting this policy. The Council recognises that Parliament has made it lawful to operate sex establishments and that such businesses are a legitimate part of the retail and leisure industries. It is the City Council's role as the Licensing Authority to regulate such premises in accordance with the law.

The City Council is committed to applying the law and policy to promote:

- High management standards at licensed sex establishments;
- Public Safety of staff, performers and patrons at sex establishments;
- Safeguarding of staff, performers and patrons at sex establishments; and
- Safeguarding vulnerable persons in the locality of sex establishments.

Part 3 – CONSULTATION ON THIS POLICY

The Council has consulted with stakeholders on the content of this policy. These stakeholders have included:

- All current sex establishment licence holders
- Current staff and performers
- Elected Members of Sheffield City Council
- The local Member of Parliament
- South Yorkshire Police
- Environmental Protection Service
- South Yorkshire Fire and Rescue
- Sheffield Safeguarding Children Board
- Sheffield Safeguarding Adults Board
- Health Protection
- Director of Business Strategy and Regulation
- Trading Standards
- Planning
- The Executive Director – Place
- Other Local Authorities in South Yorkshire
- Religious Establishments
- Sheffield Schools
- Objectors to previous sex establishment licence applications or renewals
- Equality Groups

The Council conducted a number of **pre-consultation workshops** between the 21 November 2016 and 28 November 2016.

Invitations to the pre-consultation workshops were sent to Sheffield City Council Elected Members, the members of the Licensing Committee, existing sex establishment licence holders, religious establishments, schools and equality groups. A total of 768 invitations were sent out by post and e-mail, and the workshops were attended by:

- Current licence holders
- Elected Members
- Representatives of Schools
- Representatives of Religious Groups
- Representatives of Equality Groups
- Groups/Individuals that have previously objected to sex establishment licence applications.

The **First Stage** of the consultation process was conducted over a seven week period from the 19 December 2016 to the 3 February 2017 where comments were invited via email and post to Sheffield City Council's Consultation Hub – Citizen Space. Letters and emails were sent and interested parties were invited to submit comments via email, in writing and on the City Councils online consultation hub, "Citizen Space".

82 responses were received; respondents included South Yorkshire Police, local businesses, Elected Members, a Member of Parliament, equality groups, religious groups and local residents.

The **Second Stage** of the consultation process was undertaken over a four week period from the 3 March 2017 to the 31 March 2017 where comments were invited via email and post to Sheffield City Council's Consultation Hub – Citizen Space. Letters and emails were sent and interested parties were invited to submit comments via email, in writing and on the City Councils online consultation hub, "Citizen Space".

47 responses were received; respondents included religious groups, current licence holders, equality groups, and a Member of Parliament.

The consultation highlighted a number of local concerns, in particular:

- The suitability of applicants for sex establishment licences;
- Public safety of staff, performers and patrons at sex establishments;
- The safeguarding of staff, performers and patrons at sex establishments;
- The safeguarding of vulnerable persons in the locality of sex establishments; and
- The Public Sector Equality Duty.

The City Council has had regard to the views of staff and performers of existing sexual entertainment venues.

There have been no upheld complaints with any of the existing premises in the time they have been licensed nor have any issues been identified by the Sheffield Safeguarding Board and South Yorkshire Police.

Part 4 – DEFINITIONS

“the Act”

refers to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

“the Council”

means Sheffield City Council.

“the Policy”

refers to the Sheffield City Council Sex Establishment Policy.

“sex establishment”

the collective term for sex shops, sex cinemas and sexual entertainment venues.

“relevant locality”

means the locality in which the premises, vehicle, vessel or stall are situated. For the purposes of this policy, each application will be determined on a case-by-case basis. In individual cases, if it is necessary to decide the precise boundaries of the relevant locality, this will be done on the facts of the individual case.

“character of the relevant locality”

means the character or characteristics of the locality in which the premises, vehicle, vessel or stall are situated. In determining the character of the area, the Council will consider what the primary use premises in the locality are put to, any additional uses of premises in that locality, and any purposes that may require persons to use that locality, for example transport hubs, cultural hubs, etc.

“the premises”

means the premises, vehicle, vessel or stall that are the subject of the sex establishment licence or of the application for a sex establishment licence.

“sex cinema”

means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures related to, or intended to stimulate or encourage, sexual activity, acts of force or restraint associated with sexual activity, or concerned primarily with the portrayal of or primarily deal with, or relate to, genital organs or excretory or urinary functions, but does not include a dwelling house to which the public is not admitted.

“sex shop”

means any premises, vehicle, vessel or stall used for a business consisting to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating:

- (a) sex articles; or
- (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging—
 - i. sexual activity; or
 - ii. acts of force or restraint which are associated with sexual activity.

“sex articles”

include written or visual material such as sex magazines or books, or visual or audio recordings concerned with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage, sexual activity or acts of force and restraint associated with sexual activity, or which are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions.

“sexual entertainment venue”

means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.

“relevant entertainment”

means any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means). An audience can consist of just one person (e.g. where the entertainment takes place in private booths). This definition would apply to the following forms of entertainment [as they are commonly known]: pole dancing; table dancing; strip shows; peep

shows and live sex shows. This list is not exhaustive and should only be treated as indicative. The decision to licence premises as sexual entertainment venues shall depend on the content of the relevant entertainment and not the name given to it. An applicant will be expected to set out the exact nature, extent and scope of the relevant entertainment.

“display of nudity”

means, in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and in the case of a man, exposure of his pubic area, genitals or anus.

“the organiser”

means any person involved in the organisation or management of relevant entertainment.

“significant degree”

in the context of sex shops, shall be considered by the Council on a case-by-case basis. In considering significant degree, the Council will consider, amongst other things:

- the amount of shelf space devoted to relevant articles
- the annual turnover in relation to relevant articles and other things
- the way the business is marketed and advertised and
- the primary intention of the majority of customers in visiting the shop.

“permitted hours”

are the hours of activity and operation that have been authorised by the Council under the sex establishment licence.

Part 5 – INTEGRATION WITH OTHER STATUTES

There are a number of statutory provisions which apply to every action the Council takes as a public authority. These include, but are not limited to:

- the Equality Act 2010;
- the Human Rights Act 1998;
- the Provision of Services Regulations 2009; and
- the Crime & Disorder Act 1998.

Equality Act 2010

This Act legally protects people from discrimination in the workplace and wider society. This includes the Public Sector Equality Duty (PSED), which means that the Council must thoroughly consider, in the discharge of its licensing functions, the need to:

- promote equality of opportunity;
- eliminate unlawful discrimination, harassment and victimisation;
- promote good relations.

This applies for this policy and to the consideration and determination of applications for sex establishments.

A detailed Equality Impact Assessment (EIA) has been undertaken and kept under review throughout the drafting of this policy and then finalised on publication of the policy. Further EIA's will be conducted where necessary.

It is not considered likely that the equalities obligations are at risk as there is no perceivable risk of unequal access to the services between different equality groups, save for those under 18.

Licensing Committee members have undertaken equality and diversity training and will be reviewing their learning on a regular basis to ensure their knowledge and understanding of all matters concerning equality and diversity are at the highest standard to allow them to make decisions.

This policy includes a clear and unequivocal commitment to meeting the PSED in the exercise of all of the functions under the Act. The policy and the documentation flowing from it are intended to be a key means of

facilitating compliance with all of the Council's obligations. Great care has been taken in developing a policy that is fit for purpose in this regard but it is only when it is tested in action that it will be possible to evaluate its effectiveness. This assessment will be kept under regular review, particularly in the early period of implementation, so that any shortcomings identified in the document itself and/or the way it has been implemented can be addressed.

Human Rights Act 1998

Incorporates the European Convention on Human Rights and makes it unlawful for a Local Authority to act in a way which is incompatible with a convention right. The Council will have particular regards to the following relevant provisions of the European Convention on Human Rights:-

- Article 1 of the first protocol: Everyone is entitled to the peaceful enjoyment of his or her possessions. It should be noted that the Courts have held that a licence is a person's possession;
- Article 6, in relation to the determination of civil rights and obligations: Everyone is entitled to a fair and public hearing within a reasonable time, by an independent and impartial tribunal established by law;
- Article 8: Everyone has the right to respect for one's home and private life, including, for example, the right to a "good night's sleep".
- Article 10: Freedom of expression.

Provision of Services Regulations 2009

These Regulations require that applications are processed as quickly as possible and, in any event, within a reasonable period. The Regulations also specify that in the event of failure to process the application within the period or as extended in accordance with the provisions of these Regulations, the authorisation is deemed to be granted (tacit approval) by the Council, unless different arrangements are in place.

The Council considers that it would not be in the public interest, for reasons of public safety, for tacit approval to apply with regards to applications for sex establishments.

The Regulations also state that any charges (fees) provided for by a competent authority, which applicants may incur under an authorisation scheme, must be reasonable and proportionate to the cost of the procedures and formalities under the scheme, and must not exceed the cost of these procedures and formalities.

The Regulations suggest that all fees within the scope of the Directive be separable in two parts.

Firstly, the pre-application costs; mainly the administrative costs incurred when dealing with the application from when it is first received up until it being determined (issued/refused).

Secondly, the on-going costs; monitoring and enforcing the terms and conditions of that licence. This is to show clearly which part of the fee is repayable should an application (applicant) be unsuccessful.

Crime & Disorder Act 1998

Under this Act, Local Authorities must have regard to the likely effect of the exercise of their functions, and do all that they can to prevent crime & disorder in their area. This policy will have regard to the likely impact that the granting of licences may have on related crime & disorder in the city.

Part 6 – THE PROCESS OF APPLYING FOR A LICENCE

Making an Application

The Act provides a maximum licence period of one year. The Authority may grant a shorter licence if it sees fit. A shorter period may be granted for example, where a licensee wants a licence for a limited period for a trade exhibition or a show.

An application for the **grant, variation, renewal or transfer** of a licence must be made in writing to the Licensing Authority together with the application fee in accordance with the requirements set out below.

There are three separate notice requirements:

[1] The applicant must, within seven days after the date of the application, publish an advertisement in a local newspaper circulating in the local authority's area. A suggested form of advertisement is available on request from the Licensing Section.

[2] Where the application is in respect of a premises, the applicant must display a notice of the application on or near the premises where it can be conveniently read by the public. The notice must be displayed for 21 days starting with the date of application. Again a suggested form of notice is available on request.

[3] The applicant must send a copy of the application to the Chief Officer of Police no later than seven days after the date of the application. Where the application is made electronically it is for the local authority itself to send the copy within seven days of receipt of the application.

The application form can be used for grant, variation, transfer and renewal applications. Applicants must provide their name, address, age (where the applicant is an individual), the premises address and the proposed licensed name of the premises.

Applicants must, at the time of submission of a new grant, renewal or variation application, provide:

- a scheme showing the exterior design for consideration by the Licensing Authority before the premises are opened for business in order to ensure that exterior design of the premises.
- details as to the exact nature, extent and scope of the business for consideration by the Licensing Authority.
- a plan showing the interior layout of the premises and where relevant entertainment will take place for consideration by the Licensing Authority (SEV's only).
- a copy of the codes of practice for performers, the rules for customers and the policy of welfare for performers (SEV's only). Such documents will form part of the licence (if granted) and may be subject to amendment by the Licensing Authority prior to approval.

Officers of the Licensing Authority may, as part of the application process, visit the relevant locality of the premises to establish whether there are any characteristics of the locality which may require consideration by the Licensing Committee.

Objecting to Applications

The Act permits a wide range of persons to raise objections about the **grant, renewal, variation or transfer** of a licence. Objectors can include residents, resident associations, trade associations, businesses, Councillors or local MPs. South Yorkshire Police are a statutory consultee for all applications.

Objections must be made in writing (email is acceptable) no later than 28 days after the date of the application to the Licensing Authority and should include the following:

- the name and address of the person or organisation making the objection;
- the premises to which the objection relates;
- the proximity of the premises to the person making the objection, a sketch map or plan may be helpful to show this.

Objectors should limit their objection to matters which are relevant to the statutory grounds for refusal as set out in the Act. The relevant grounds of objection are:

- That the applicant is unsuitable to hold a licence;
- That the licence, if granted, would be carried on for the benefit of person/s who would be refused a licence if they had applied themselves;
- That the layout, character or condition of the premises are inappropriate for the proposed establishment;
- That the use of the premises as a sex establishment would be inappropriate due to the use of premises in the vicinity;
- That the use of the premises as a sex establishment would be inappropriate due to the character of the relevant locality; and / or
- That the number of sex establishments or sex establishments of a particular type is inappropriate in the relevant locality.

Any objections received by the Licensing Authority which do not relate to the grounds set out in the Act will be rejected by the Licensing Authority.

Objections will be considered by the Licensing Sub-Committee determining the application. The applicant will be informed of any objections received in respect of their application and the objection(s) will become public documents. (However, objector's personal details such as name, address and telephone number will be removed.)

A copy of the hearing procedure will be sent to the applicant and any objectors prior to the hearing.

Determination of Applications

All applications for the grant of a sex establishment licence will be determined by the Licensing Committee or Sub-Committee.

Valid objections to any application will be considered by the Licensing Committee or delegated to a Licensing Sub Committee at the hearing to consider the application. Applicants and objectors will be given an equal opportunity to state their case in accordance with the Licensing Committee's procedure for hearings, which is available from the Licensing Service.

The Act provides five mandatory grounds and four discretionary grounds for refusal of a licence. Each application will be decided upon its own merits and the Licensing Authority will give clear reasons for its decisions. Any decision to refuse a licence **MUST** be relevant to one or more of the following grounds:

MANDATORY GROUNDS FOR REFUSAL

Specific mandatory grounds for refusal of a licence are set out in paragraph 12(1)(a to e) of Schedule 3 in the 1982 Act. A licence cannot be granted:

- (a) to any person under the age of 18 years;
- (b) to any person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- (c) to any person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- (d) to a body corporate which is not incorporated in an EEA State; or
- (e) to any person who has, within a period of 12 months immediately preceding that date when the application was made, been refused that grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

DISCRETIONARY GROUNDS FOR REFUSAL

The only discretionary grounds upon which the Council may refuse an application for the grant or renewal of a licence on one or more of the grounds specified in Schedule 3 paragraph 12(3) are that:

- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reasons;
- (b) 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/she made the application himself/herself;
- (c) the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for the locality;
- (d) 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.

Appeals

There is a right of appeal to the Magistrates Court against decisions for the refusal to grant, renew, vary or transfer of a licence, the imposition of conditions and revocations may also be appealed.

Appeals must be made to the Magistrates Court within 21 days, starting from the date the applicant is notified of the Licensing Authority's decision.

It is important to note that appeals only lie against the mandatory refusals on the basis that the mandatory ground does not apply to the applicant/licence holder. Further, no appeal lies against the Licensing Authority's decision made on the discretionary grounds namely:

- that it is inappropriate to grant or renew a licence on the grounds of the character of the locality or the number of premises in it; or
- the use of premises in the vicinity or the layout, character or condition of the premises.

The only discretionary grounds against which an appeal lies are those relating to the suitability of the applicant, the manager and/or the beneficiary of the operation

There is no right of appeal to the Magistrates' Court for the police or objectors.

Part 7 - POLICY

Discretionary Grounds a & b: SUITABILITY OF THE APPLICANT, MANAGER & BENEFICIARY

The Licensing Authority needs to be satisfied of the suitability of the following persons relevant to the application:

- (a) the applicant;
- (b) each of the partners (if a partnership);
- (c) each of the directors, secretary or other persons (if applicant is a company);
- (d) each of the managers;
- (e) each person the business will benefit. This includes third parties such as funders and suppliers where the arrangements are not on normal arm's length commercial terms or any persons who may share in the profits.

The provision of a management structure as part of the application will assist the Authority in determining suitability.

In order for the Licensing Authority to be satisfied that the relevant individuals are suitable to operate a sex establishment, a "Disclosure Scotland" certificate that is dated no earlier than 5 weeks prior to the application being submitted should accompany the application.

Where the relevant individuals have convictions for;

- (a) dishonesty;
- (b) violence;
- (c) sexual offences;
- (d) drugs;
- (e) public order; or
- (f) people trafficking;

it is unlikely that a licence will be granted.

Further,

- if the applicant has previously been involved in running an unlicensed sex establishment; or
- if the licence were to be granted, the business to which it relates would be managed by or run for the benefit of a person other than the applicant who would be refused the grant of such a licence if they made it themselves;

the application will likely be refused.

The Licensing Authority needs to be satisfied that those applying for a licence for a sex establishment (individuals detailed above) are suitable to operate the business by ensuring:

- (a) that the operator is honest;
- (b) that the operator is qualified by experience to run the type of establishment in question;
- (c) that the operator fully understands the licence conditions;
- (d) that the operator is proposing a management structure which will deliver compliance with licence conditions;
 - i. managerial competence;
 - ii. attendance at the premises;
 - iii. a credible management structure;
 - iv. enforcement of business rules (internal) through training and monitoring;
 - v. a viable business plan (e.g. sufficient to employ door staff and install CCTV (SEV only)); and
 - vi. existing policies in place for the welfare of staff, performers and patrons (SEV only)
- (e) that the operator will act in the best interests of the staff and performers, in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored (SEV only).

It is anticipated that the above expectations will be demonstrated by the operator through their completed application form, accompanying documentation, and disclosure certificates as part of the application process.

Discretionary Ground c) NUMBER OF SEX ESTABLISHMENTS

The Act allows local authorities to impose numerical control on the number of sex establishments within a particular location. This can be to the number overall and the number of each kind and allows that the appropriate number may be nil.

This Policy does not specify any limit on sex establishments.

Each application must in any event be considered on its merits at the time the application is determined by the local authority.

Discretionary Ground d) LOCATION

The Act permits applications to be refused:

- i. where the grant would be inappropriate having regard to the character of the relevant locality;
- ii. where the grant would be inappropriate having regard to other premises in the vicinity;
- iii. on the basis of the layout, character or condition of the premises.

i) Character of the relevant locality

The Licensing Authority will have regard to, but not limited to, the following:

- (a) the fact that the premises are sited in a residential area;
- (b) the premises are sited near shops used by or directed to families or children, or on frontages frequently passed by the same;
- (c) the premises are sited near properties which are sensitive for religious purposes e.g. synagogues, churches, mosques, temples;
- (d) the premises are sited near premises or areas which are sensitive because they are frequented by children, young persons or families, including but not limited to educational establishments, leisure facilities such as parks, libraries or swimming pools, markets and covered markets;
- (e) the premises are sited near places and or buildings of historical/cultural interest and other tourist attractions.
- (f) the premises are sited near civic buildings.

The Council will consider the extent of the relevant locality on a case by case basis taking into account the particular circumstances of each case. However, the Council will not seek to define locality as the whole of the Council's administrative area or on a ward by ward basis.

ii) Use of other premises in the vicinity

The Licensing Authority will have regard to, but not limited to, the following:

- (a) schools, nurseries or other premises substantially used by or for children under 18 years of age,
- (b) parks or other recreational areas designed for use by or for children under 18 years of age;
- (c) places primarily used for religious worship;
- (d) hospitals, mental health or disability centres, substance misuse treatment centres, sexual exploitation services, sexual abuse centres or similar premises;
- (e) any central gateway to the city or other city landmark, historic building or tourist attraction;
- (f) predominately residential areas; and
- (g) The Cultural Hub (Millennium Galleries, Tudor Square, theatres and library).

Whether a premises is in close proximity to the above will be a matter of fact in each individual case and cannot be determined by reference to a fixed distance. What constitutes a city landmark, historic building, tourist attraction or cultural area will be determined by the Licensing Authority on a case-by-case basis, after hearing from the parties.

The nature of the premises and the opening hours of the premises will also be considered in relation to the above.

In the case of renewal applications, the fact of whether development has occurred since the premises has been in operation will be considered. Applicants are advised to be aware of new developments occurring in the area of their premises and detail in renewal applications how negative impact on new developments may be mitigated.

Licences will be refused if the Licensing Authority perceives a venue will have negative impacts on members of the public or vulnerable persons living, working or engaged in normal activity in the area.

The Licensing Authority will also consider the following factors when deciding if an application is appropriate:

- (a) any cumulative adverse impact of existing sex establishment related activities in the vicinity of the proposed premises;
- (b) proximity to areas with high levels of crime;
- (c) whether the premises has met the relevant planning requirements;
- (d) the design of the premises frontage (signage/images etc.);
- (e) any relevant representation to the application; and/or
- (f) the proposed operating hours.

iii) Suitability of the Premises

The Council expects:

- when an application for a licence at a permanent commercial property is made, the applicant will be able to demonstrate that the layout, character and / or condition of the premises is appropriate to the relevant entertainment proposed at the premises.
- when an application for a licence at a permanent commercial property is made, that property should have the appropriate planning and building regulation consents.
- the applicant to consider and detail in any application, the visible and physical impact of the premises including any external signage, advertising or displays.

CONDITIONS

The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to a licence should be necessary, proportionate and tailored to the individual premises.

The Licensing Authority is permitted under The Act to make regulations prescribing standard conditions.

The standard conditions that may be attached on an individual basis to a sex establishment licence are available from the Licensing Service.

The Licensing Authority reserves the right to grant and/or renew a licence on such terms and conditions, and subject to such restrictions as may be so specified in each individual case/application.

Any applicant not wishing to be bound by the standard conditions will need to state so in the application and provide justification as to why they should not apply.

REPRESENTATIONS

The Act allows any person to submit representations to the application of a sex establishment licence.

WAIVERS

Schedule 3 of The Act makes provision for the Council to grant a waiver from the requirement to hold a sex establishment licence in any case where it considers that to require a licence would be unreasonable or inappropriate.

A waiver may be for such a period as the Council thinks fit.

Each application will be considered on its own merits by the Licensing Committee.

In light of the exemption in relation to the provision of relevant entertainment on an infrequent basis, the Council takes the view that waivers are unlikely to arise in relation to relevant entertainment and would only be considered in exceptional circumstances.

Part 8 – SAFEGUARDING AND PUBLIC HEALTH

Safeguarding

The licence holder will ensure that all members of management and staff attend training regarding safeguarding children, vulnerable adults and licensing.

This training is provided in partnership by the Sheffield Safeguarding Board and Adult Safeguarding Partnership with the Licensing Authority. Such training is designed to support management and staff to recognise vulnerability and take appropriate safeguarding actions. This will include training to implement an age verification scheme and how to recognise and respond to vulnerable adults, as employees or customers. The training will also include a session regarding licensing law, conditions and expectations.

An appropriate member of the premises management must be assigned to act as the Safeguarding Coordinator. This person should act in accordance with the guidance and training provided by the local safeguarding children/adults boards.

Public Health

Holders of sex establishment licences must display and make available, without charge, literature on matters relating to sexual health the prevention of sexually transmitted diseases and HIV, and information about local health services as may be supplied to them by relevant local bodies. This information must be made available to patrons, employees and performers.

Part 9 - ENFORCEMENT

Licensing Service Principles of Enforcement:

- **Open:** The Licensing Authority will provide information in plain language and will be transparent in the activities it undertakes. It will also be clear with customers on how the service operates.
- **Helpful:** The Licensing Authority will work with licensees to advise and assist with compliance. A courteous and efficient service will be provided by all staff, and licensees will have a single point of contact and telephone number for further dealings. Applications will be dealt with promptly and where possible, enforcement services will operate effectively to minimise overlaps and time delays.
- **Proportionate:** The Licensing Authority will minimise the costs of compliance for licensees by ensuring any action taken is proportionate to the risks involved; an account of the circumstances and attitude of licensee will be considered at all times.
- **Consistent:** The Licensing Authority will carry out all duties in a fair, equitable and consistent manner. Licensing officers will exercise judgment in all cases and arrangements will be put in place to promote consistency.

The Licensing Authority will also provide a well-publicised, effective and timely complaints procedure that is easily accessible to licensees and members of the public alike.

Advice given by licensing officers on behalf of the Licensing Authority will be put clearly and simply at all times and confirmed in writing.

The Licensing Authority will also ensure that before action is taken as a result of enforcement or compliance checks, an opportunity to discuss the circumstances will be provided in order to resolve the points of difference. However, in circumstances where immediate action is necessary, such as health and safety or preventing evidence being destroyed, the Licensing Authority will be required to take a more formal approach. An explanation as to why such action was required will be given at the time and confirmed in writing, in most cases within five working days and, in all cases, within 10 working days.

Better Regulation Delivery Office: Regulators' Code 2014

In undertaking enforcement duties, the Licensing Authority will pay particular attention to the Regulators' Code. This sets out the standards that the Licensing Authority should follow when undertaking compliance and enforcement checks. Therefore the Licensing Authority will:

- carry out their activities in a way that supports those they regulate to comply;
- provide simple and straightforward ways to engage with those they regulate and hear their views;
- base their regulatory framework activities on risk;
- share information about compliance and risk;
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- ensure that their approach to their regulatory activities is transparent.

The Licensing Authority will work very closely with South Yorkshire Police and the Planning Service and look to establish task teams to deal with problem premises.

Complaints

The Licensing Authority does understand the difficulty for some residents to follow up issues with particular premises due to concerns for their safety. In these circumstances, residents should contact the Licensing Service, their local Councillor or South Yorkshire Police who may assist them in these matters.

The Licensing Authority and South Yorkshire Police will work closely in order to ensure consistency, transparency and proportionality in their enforcement activities. They will continue to investigate complaints and conduct proactive enforcement exercises to ensure that licences and the conditions attached to the authorisations are complied with and that unlicensed activity is dealt with as appropriate to ensure the highest standards of licensees and premises in the city of Sheffield.

The Licensing Authority will investigate general complaints regarding premises. This will allow us to give an early warning to licence holders of any concerns identified at their premises and the need for improvement.

They may call on other relevant authorities to assist in the investigation of complaints or in formulating action plans for improvement.

Data Sharing

Subject to the provisions of the Data Protection Act 1998, the Licensing Authority and police will share information about licensees, licensed premises and activities associated with them. Further open access to data will be given to those police officers and Licensing Authority officers discharging their functions under this Act.

Part 10 - PARALLEL CONSENT SCHEMES

The Licensing Act 2003 (the 2003 Act)

If a sex establishment wishes to also carry on other licensable activities under the 2003 Act, i.e. the sale of alcohol, the provision of regulated entertainment or the provision of late night refreshment, they will also require a premises licence, club premises certificate or temporary events notice.

In practice, most sexual entertainment venues will require both a sexual entertainment venue licence for the provision of relevant entertainment and a premises licence for the sale of alcohol or provision of regulated entertainment.

Applicants and interested parties are advised to read Sheffield City Council's current Statement of Licensing Policy in conjunction with this policy.

Planning and Building Regulation Control

Applicants must ensure that they have the appropriate planning permission in place to operate their business.

The Council's licensing functions will be discharged separately from its functions as the "Local Planning Authority". However, the Licensing Authority recognises the need for the two services to work in partnership.

Therefore, the Licensing Authority requires that applicants for a premises licence and/or variations under this legislation to have already obtained any necessary planning consent. This helps to avoid unnecessary confusion within the local community.

Applicants should also be aware that Building Regulations may apply where the proposal involves building work or where the use of the building is changed. You are advised to contact Building Control for further guidance.

APPENDIX 'B'

Overview of Consultation Responses - Stage 1 Consultation Results Table

Overview of Stage One Comments

No.	Name	Organisation Details	Overview of comments	Has the policy been updated following the comments?
1	David Slater	Attercliffe Action Group	1 Suggests having a 'Red Light Zone' in immediate vicinity of Victoria Quays, up to the Incinerator, through to Norfolk Bridge and down to the Wicker/Riverside area. Suggests zero tolerance elsewhere in the city, with main concerns being raised regarding Brothels/Saunas which are not part of this consultation.	No Comments refer to saunas - do not fall under the remit of the policy.
2	Helen Mort		1 Comments relate to SEVs only. Contests paragraph 9 of introduction which states that LA endeavours to reduce normalisation of the sexualisation and objectification of women, as feels it is a contradiction to next sentence which states a nil cap would be a 'negative move', allowing premises to operate. 2 PSED should be considered to foster healthy relationships	Yes Paragraph reconsidered and removed.
3	Mohammed Rafique	Jamia Mosque	3 SEVs objectify purchase of women's bodies and goes against PSED. Nil Cap requested.	No PSED has been fully considered and exercised during the process. An EIA has been completed.
4	Benita Mumby	South Yorkshire Police	1 No comments to make as licences previously granted by Council, so is in Council's hands. Mosque provides service to community and do not encourage these sorts of activities. 1 Read and acknowledges policy – no extra comments to add into policy.	No PSED has been fully considered. Research by Colosi (2013) suggests that there is a need for careful regulation, and "where work in lap-dancing clubs is limited, high-risk, women may seek work in more unregulated, high-risk, erotic dance environments" (p.10)
5	Kate Parry		1 Replica comments to respondent No. 2 above (SEVs only)	No
6	Lee Adams		1 Replica comments to respondent No. 2 above (SEVs only)	As per comment No.2. As per comment No. 2.
7	Liz Tuckerman		1 Feels draft seems fair to both applicant and public, and is glad to see number of SEVs to be limited to 2 per City boundary. 2 Feels conditions for performers are under documented and asks if LA can ensure they are fairly treated.	No Limits removed from later draft after further consultation. No Conditions are separate document. Performers consulted and no issues were raised.

Overview of Stage One Comments

8	Loveday Herridge		<p>1 Feels there is no evidence that sexual establishments contribute to the Council's stated vision, and wishes for SCC to consider what type of policy should be adopted to best serve the overarching aims.</p> <p>2 Asks why nil cap is a negative move, requesting SCC to refuse applications to stay consistent with Council Vision.</p> <p>3 Feels there is no suitable location in any Wards due to mix of commerce, family retail, entrepreneurship and residential areas inhabited by families and children.</p>	<p>No Such establishments are legitimate businesses by way of legislation. Policy serves aims of Council Vision by maintaining balance of ensuring a rich and varied night-time economy.</p> <p>No Research by Colosi (2013) suggests that there is a need for careful regulation, and "<i>where work in lap-dancing clubs is limited, women may seek work in more unregulated, high-risk, erotic dance environments</i>" (p.10)</p> <p>No Location restrictions established in policy under discretionary grounds.</p>
9	SCC Planning Authority		<p>1 Amended wording to replace existing text regarding Planning Regulation.</p>	<p>Yes Section amended.</p>
10	Rosalind Wollen		<p>1 Replica comments to respondent No. 2 above (SEVs only)</p>	<p>As per comment No.2.</p>
11	Dr Chris Scarlett (Sent by Meera Kulkarni)	Chair of Sheffield Rape and Sexual Abuse Centre	<p>1 Replica comments to respondent No. 2 above (SEVs only)</p>	<p>As per comment No.2.</p>
12	Dr Shelley Roche-Jacques		<p>1 Replica comments to respondent No. 2 above (SEVs only)</p>	<p>As per comment No.2.</p>
13	Stannington Methodist Church		<p>1 Stated has no interest in the consultation. Requested that we do not contact them again regarding this matter.</p>	<p>No</p>

Overview of Stage One Comments

14	Maureen Storey	VIDA – Formerly Sheffield Domestic Abuse Forum	<p>1 Replica comments to respondent No. 2 above (SEVs only)</p> <p>2 Additional comment that SEVs are a normalisation of harassment and discrimination against women, creating a hostile environment for women and girls in Sheffield, and contributes to appalling levels of sexual and domestic violence and abuse, with the devastating impacts that she sees daily in their Eva Therapy Service for women and girls affected by abuse and trauma.</p>	As per comment No.2.
15	Vivien Ratcliffe		<p>1 Feels SEVs cheapen, degrade and objectify women and that they are immoral.</p> <p>2 Feels SCC is only licensing SEVs to make money for themselves.</p> <p>3 Feels SEVs are only present for the purpose of male sexual satisfaction which is unnecessary, and that they steer young women in the direction of drugs and prostitution. She suggests SCC should have a rethink.</p>	<p>No SCC has found no evidence of this link nor have they been provided with such. Research by Colosi (2013) suggests that there is a need for careful regulation, and “where work in lap-dancing clubs is limited, women may seek work in more unregulated, high-risk, erotic dance environments” (p.10) Furthermore: Colosi (2013) states that “it is contended that limiting SEV’s will benefit gender equality by alleviating the objectification of women (Object, 2009), this view is far too simplistic. In the long term, the closure of lap-dancing clubs will result in the unemployment of women, particularly of poverty where ex-dancers are unable to find employment. This also risks pushing the stripping industry underground, with more women opting to work in unregulated environments as erotic dancers, where the physical dangers can be considerable” (see Colosi, 2010b). (p. 9)</p> <p>No</p> <p>No</p> <p>No</p>
16	Helena Reynolds		<p>1 States is in full support of the Zero Option report submitted for this consultation, and wishes for this to be her submission as well.</p>	See comment No.40.
17	Aletheia Gentle		<p>1 Replica comments to respondent No. 2 above (SEVs only)</p>	As per comment No.2.
18	Ghazal Razzaq	Sheffield Asian Womens Resource Centre	<p>1 Replica comments to respondent No. 2 above (SEVs only)</p>	As per comment No.2.
19	Tony Bashton		<p>1 States there is a specific (and wholly proper) identification of females as being at risk of danger and exploitation within the policy, and asks if it is not possible that males could be vulnerable as performers in some specialised venues.</p>	<p>Yes Valid point. Wording amended.</p>

Overview of Stage One Comments

20	Bridget Kelly	SHIFT Media	1	<p>1 Replica comments to respondent No. 2 above (SEVs only)</p> <p>Additional comments raised concerns over the use of the words 'vexatious objections', as objecting is part of democracy.</p> <p>1 Replica comments to respondent No. 2 above (SEVs only)</p> <p>1 Replica comments to respondent No. 2 above (SEVs only)</p> <p>1 Replica comments to respondent No. 2 above (SEVs only)</p> <p>1 Replica comments to respondent No. 2 above (SEVs only)</p> <p>1 Replica comments to respondent No. 2 above (SEVs only)</p> <p>1 Writes in support of the Zero Option report submitted.</p> <p>2 Highlights opinion that SCC has a "culture of misogyny" within it from anecdotal reports of sexism and misogyny which have been documented in minutes from women's staff action plan group meetings, and therefore draws attention to the contradiction in Paragraph 9 of introduction which states that LA endeavours to reduce normalisation of the sexualisation and objectification of women, as she feels it is a contradiction to next sentence which states a nil cap would be a 'negative move', allowing premises to operate.</p>	<p>As per comment No.2.</p> <p>Yes</p> <p>Section removed</p> <p>As per comment No.2.</p> <p>As per comment No.2.</p> <p>As per comment No.2.</p> <p>See comment No.40.</p> <p>As per comment No.2.</p> <p>As per comment No.2.</p> <p>See comment No.40.</p> <p>Yes</p> <p>Paragraph 9 removed. Introduction rewritten.</p>
21	Helena Cameron				
22	Tom Boydell				
23	Richard Rawson	Showroom Workstation			
24	Brian Lewis				
25	Judith Harry	Site Gallery			
26	Nikki Bond				
27	Anna Childs		3	<p>Feels having any more SEVs than zero, shows SCC is supporting the misogyny already in existence, further requesting a nil cap to be applied within the policy.</p>	<p>No</p> <p>SCC have no evidence to suggest a nil cap is necessary.</p> <p>As per comment No.2.</p> <p>As per comment No.2.</p>
28	Lily Grey		1	<p>1 Replica comments to respondent No. 2 above (SEVs only)</p> <p>1 Replica comments to respondent No. 2 above (SEVs only)</p>	<p>As per comment No.2.</p> <p>As per comment No.2.</p>
29	Douglas Johnson	Councillor	1	<p>Supports maximum limit of SEVs to 2 per City boundary. Doesn't see the need to regulate overall numbers of Sex Shops and Sex Cinemas, although agree clusters of these premises could have an effect on communities so is happy with 1 Sex Shop per Ward.</p>	<p>No</p> <p>Further consultation led to removal of limits.</p>
			2	<p>SEVs shouldn't be located close to residential areas or shopping centres, nor in areas which could affect other businesses.</p>	<p>Yes</p> <p>Location policy around character of locality, use of other premises in vicinity and suitability of premises added. See Discretionary Ground d), page 12 of draft policy.</p>
			3	<p>Disagrees with the statement in the draft policy that "it is not considered likely that the equalities obligations are at risk as there is no perceivable risk of unequal access to the service between different equalities groups."</p>	<p>No</p> <p>EIA undertaken to review potential risks.</p>
			4	<p>Feels there is additional duty to have regard to the need to eliminate sexual harassment, and should be expressly referred to in the revised policy.</p>	<p>No</p> <p>It is our duty as a local authority to protect the public. Work is undertaken with relevant responsible authorities and partnership groups.</p>

Overview of Stage One Comments

			5	Policy should refer to the legal duty to remove or minimise disadvantages facing women.	No Policy reflects equality duty for all characteristics; PSED and EIA undertaken and considered.
			6	Feels further review of the policy should take place if one of the existing SEVs were to close, to readdress number limitation within policy to reflect this.	No Further consultation led to removal of limits. If one were to close and another to apply, the policy would be applied to the new application.
			7	Feels revised policy should state explicitly that the PSED will be applied to any individual application as well as the framing of the policy.	No PSED undertaken as stated in policy.
			8	It is not clear why a Disclosure Scotland Certificate is required instead of a standard DBS check given the city is not in Scotland. This gives assumption that Disclosure Scotland Certificates are easier to obtain which does not equate with the need to have proper checks on people who would be running the establishments.	No Disclosure Scotland Certificate only available permitted check. Will be transferred to DBS in Jan 18 but will still only be permitted to carry out a basic disclosure.
			9	In order to protect both dancers and customers, the standard conditions at Appendix A should include a term to the effect that "No person may provide relevant entertainment at the premises unless employed directly by the license holder under a written contract of employment"	No No legislative power to control employment contracts, or employment structures within a business. Conditions removed from policy in any case. As per comment No.2.
30	Janet Hawksworth		1	Replica comments to respondent No. 2 above (SEVs only)	As per comment No.2.
31	Gill Furniss		1	Replica comments to respondent No. 2 above (SEVs only)	As per comment No.2.
31			2	Zero Option report also submitted to include as submission.	See comment No.40.
32	Charlotte Mead	Women's Equality Party	1	Disagrees that SCC cannot and does not have a 'moral' stand on SEVs, Sex Shops and Sex Cinemas.	No National legislation stipulates that only specific grounds can be considered by the local authority when considering applications. Moral standpoints are not permissible – this is backed up by case law.
			2	Feels if SCC allow SEVs/Sex Shops/Sex Cinemas in Sheffield, then there must be real, proactive and solid policies and procedures to ensure that the objectives referred to in the introduction to the policy are achieved.	No Legislation, policy and conditions will be enforced and areas of non-compliance dealt with accordingly
			3	What will be put in place to ensure Equality Duty is upheld?	PSED considered via Equality Impact Assessment.
			4	What will be put in place to ensure that the normalisation of sexualisation and objectification of women does not occur?	PSED considered via Equality Impact Assessment. Legislation, policy, and conditions imposed and areas of non-compliance investigated.

Overview of Stage One Comments

5	What will be put in place to ensure that SEVs/Sex Shops/Sex Cinemas are not involved with child sexual exploitation?	Partnership work with South Yorkshire Police and Sheffield Safeguarding Children's Board to ensure compliance and relevant regulation of premises in line with required enforcement duty and follow up to any intelligence that may arise. Increased safeguarding training measures outlined.
6	SCC need to have an action plan in place to ensure SEVs/Sex Shops/Sex Cinemas do not add to problem of human trafficking of young girls and women in Sheffield.	No No evidence to suggest this is or has been an issue in Sheffield. Should any intelligence be highlighted, this will be investigated. Sanders, Hardy and Colosi (2015) state that: <i>"Where there are migrant dancers, police intelligence has assumed this is evidence of sex trafficking (Ward and Wylie, 2010), only to find out after raids and arrests that women are working as strippers voluntarily". (p.85)</i>
7	SCC need to ensure that they are not licensing businesses which exploit their workers and do not adhere to employment legislation.	No Conditions ensure compliance of employer/employees as far as legislation allows.
8	SCC need to put resources in place to ensure that any venue is not having a negative effect on businesses, schools, community services, etc. in the immediate vicinity, and also people who are simply walking around the area. How will SCC evidence this?	No Wide consultation undertaken to gauge comments and opinions, including schools, religious establishments, performers and members of the general public. Research journals and papers referenced as evidence and used to forge policy.
9	Feels SCC members, including Committee members, have not had opportunity to sit either amongst themselves or with professionals working in the field or who have worked in the industry and discuss matters, so feels it is easy to simply pass the policy and not think about the consequences of the decisions being made	No All SCC Elected Members consulted on policy.
10	SCC need to make sure that if they allow SEVs/Sex Shops/Sex Cinemas in Sheffield, that it is done properly and the negative effects are combated, with evidence that things put in place are working effectively.	No Legislation, policy, and conditions imposed and enforced. Areas of non-compliance and complaints investigated. Complaints investigated in accordance with policy and service guidelines.

Overview of Stage One Comments

			11	<p>Feels SCC and the City do not have resources to regulate and review the industry properly, and that the resources they do have should be spent elsewhere with better outcomes for a far greater number of Sheffield people.</p> <p>Further specific points of feedback on separate parts of the policy provided on separate sheet.</p> <p>Feels Council is not holding up Equality Duty by allowing women to be treated like a product in SEVs.</p> <p>SEV existence promotes gender inequality.</p> <p>Allowing SEVs encourages sexual harassment of women.</p>	<p>No Licence fees for Sex Establishments are charged to cover the cost of the administration and enforcement of the licence – licence fee pays for resources.</p> <p>No PSED considered through EIA. Research journals, papers, consultation feedback used in writing of EIA.</p> <p>No PSED and EIA considered and detailed throughout process.</p> <p>No SCC has found no evidence of this link nor have they been provided with such. Sanders, Hardy and Campbell (2015) state: "<i>campaigns seize on unsubstantiated claims regarding strip clubs encouraging violence against women in the area, or suggesting that customers who buy striptease will become violent and sexually predatory</i>". (p. 85)</p> <p>Yes Paragraph removed.</p> <p>See Respondent No. 40</p> <p>No PSED fully considered through EIA.</p>
33	Alison Tunwell		1		As per comment No.2
			2		As per comment No.2
			3		See Respondent No. 40
			4	Objects to part of policy, which states repetitious objections should be rejected, stating that people should have the right to use wording if it conveys points better than she can herself.	No
			5	Agrees with Zero Option's response.	As per comment No.2
			6	Decision to allow SEVs will not be consistent with duty of Council to promote gender equality and respect, safeguarding health and promoting well-paid staff.	As per comment No.2
34	Sue Clarke		1	Replica comments to respondent No. 2 above (SEVs only)	See Respondent No. 40
35	Emma Sposato		1	Replica comments to respondent No. 2 above (SEVs only)	No
			2	Zero Option report also submitted to include as her submission.	As per comment No.2
			3	Documentary link regarding Sheffield Feminist Network and Zero Option. As well as link for book "Pimp State" by Kat Banyard – SEVs only.	See Respondent No. 40
36	Michelle Turner		1	Replica comments to respondent No. 2 above (SEVs only)	No
37	Alison Boydell		1	Replica comments to respondent No. 2 above (SEVs only)	As per comment No.2
38	Paul Blomfield	MP	1	Welcomes paragraph outlining LA's commitment to reduce objectification and sexualisation of women, and promoting healthy sexual practices.	Paragraph removed

Overview of Stage One Comments

			2	Wishes for evaluation of the implications of granting SEV licences on Council's responsibilities for further equality and inclusion in line with Leeds Council SEV policy.	No PSED fully considered with EIA.
			3	Seeks clarification why SCC feels a nil cap with be a 'negative move'.	No Research by Colosi (2013) suggests that there is a need for careful regulation, and "where work in lap-dancing clubs is limited, women may seek work in more unregulated, high-risk, erotic dance environments" (p.10)
			4	Welcomes increased limitations on location restrictions of SEVs within policy, but is concerned that 'Cultural Hub' has been removed, requesting explanation for this.	Yes Cultural Hub added to location policy.
			5	States that location limitations could be increased to include Cultural and Leisure Facilities, such as museums, cinemas libraries etc. Refers to Camden Leeds and Guildford policies.	Yes Leisure facilities and places of cultural interest.
			6	Feels positioning of SEVs in Cultural Industrial Quarter Conservation Area will undermine successful regeneration and not maintain Sheffield's vibrant and distinctive arts and cultural scene.	No SEV predates Cultural Industries Quarter
			7	Wishes for Student Accommodation, Student facilities and Businesses of Student accommodation to be included in location limitations as young female students are subjected to element of risk and vulnerability due to SEVs reinforcing negative attitudes towards women and promoting sexual excitement.	No Areas where adults over 18 reside are not perceived to be inappropriate.
			8	Feels policy should stipulate areas where SEVs can be appropriately placed as stipulated in Home Office Guidance, referred to as a 'defined locality', as SCC is open to more challenge without this.	No Each application will be dealt with on its own merits on a case-by-case basis.
			9	Requests that Part 17 of policy is amended which currently states that no weight will be given to vexatious, frivolous or repetitive objections, as he feels it will be silencing members of the community who wish to object or voice their argument regarding SEVs.	Yes Removed
39	Dr Julie MacDonald DL		1	Replica comments to respondent No. 2 above (SEVs only)	As per comment No.2
40	Zero Option			Comments relate to SEV's only. Feel that nil cap is required, with evidence that they feel support that SEVs undermines gender equality and creates unsafe spaces for women. Other authorities choosing to apply a nil cap shows that strip clubs are being recognised as being sexist and antithetical to gender equality and PSED. Specific questions asked throughout document:	

Overview of Stage One Comments

1	Asks for rationale on current number policy limits.	<p>Yes This Policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits on a case-by-case basis.</p>
2	Strongly objects to SCC not accepting objections based on moral factors. Requests for complete removal from policy and asks for explanation of the word moral in relation to SEVs.	<p>No Home Office guidance and case law stipulates moral representations cannot be taken into account. Moral has its normal meaning.</p>
3	Asks if SCC believes it can justify not adopting a nil cap for SEVs when this is directly contradictory to the statement of actively reducing the normalisation of sexualisation and objectification of women.	<p>No This Policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits on a case-by-case basis.</p>
4	Requests policy should reflect need to consider the impact of licensing SEVs on the objective of reducing violence against women.	<p>No SCC has found no evidence of this link in Sheffield nor have they been provided with such. The City Council is committed to applying the law and policy to promote the safeguarding of staff, performers and patrons at sex establishments and of vulnerable persons in the locality of sex establishments.</p>
5	Requests nil cap and asks for recognition of reducing working opportunities for dancers, but that employment could be sought elsewhere as they are self-employed.	<p>No This Policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits on a case-by-case basis.</p>
6	Asks that SCC notes that SEVs are not part of leisure and retail industries, and asks for wording to be amended to state they are part of Sex Industry.	<p>Yes Sex establishments contribute to the recreation, entertainment and night-time economy</p> <p>No Not necessary to specify they are part of the sex industry.</p>
7	Is the display of sexual health literature good practice and a requirement across the leisure and retail industries?	<p>No This detail supports SCC objective of promoting 'Better Health and Wellbeing' across the City.</p>
8	If sexual contact is prohibited under SEV legislation then why is there a need for sexual health literature to be made available?	<p>No</p>
9	Requests that SEVs are not allowed in vicinity of the Cultural Hub/facilities or near schools or other areas of education.	<p>Yes Cultural hub and educational establishments added</p>
10	Requests an explanation why 'Cultural Hub' has been excluded from new policy draft, as it is in the existing SEV policy and was	<p>Yes Cultural hub added</p>

Overview of Stage One Comments

	listed as part of the responses in the workshops feedback.	
11	Strongly recommends that SCC considers a more inclusive location limitation list in line with Guildford, Camden and Leeds Councils' policies, such as student accommodation, cultural buildings like museums, theatres, etc. places for vulnerable persons such as hostels and adult social care facilities and retail areas.	Yes Additional premises types have been added to the location section of the policy. Areas where over 18s reside are not considered to be inappropriate.
12	Asks that SCC includes areas of mixed use as being inappropriate vicinities for SEVs as they are partly residential, and therefore inappropriate.	No Each application will be dealt with on its own merits on a case-by-case basis. Licences will be refused if the Licensing Authority perceives a venue will have negative impacts on members of the public or vulnerable persons living, working or engaged in normal activity in the area.
13	Strongly objects to caveat of policy which states that no weight will be given to objections on moral, vexatious, frivolous or repetitious grounds, and requests its removal from policy.	No Home Office guidance and case law stipulates moral representations cannot be taken into account. Moral has its normal meaning. Other objections akin to LA03. Yes Other grounds removed
14	Asks why applications that have had no objections made against them will be automatically granted, suggesting it is an unlawful fettering of the Licensing Sub-Committee's discretion.	No This is stipulated in legislation. Only contested applications are heard by the Licensing Sub-Committee
15	Age limit of children/young people using nearby premises to SEVs should be increased to 18 in line with entrance rules and Working Together to Safeguard Children 2015 definition of a child who has not yet reached their 18 th birthday.	Yes Age limit increased
16	Requests that objectors are also given opportunity to appear before Licensing Sub-Committee, as Part 25 only states applicant.	Yes Determination of applications section now states: "Valid objections to any application will be considered by the Licensing Committee or delegated to a Licensing Sub Committee at the hearing to consider the application. Applicants and objectors will be given an equal opportunity to state their case in accordance with the Licensing Committee's procedure for hearings, which is available from the Licensing Service".
17	Requests that policy should include a declaration of commitment, to follow an open and transparent process during licensing procedures, including the sharing of any applicant	No It is a statutory duty to be open and transparent at all times, but in line with legislation and Data

Overview of Stage One Comments

			witness statements. Ideally should be available when notices are made public regarding licence applications and renewals.	Protection Act.
			How does Licensing propose to enforce its obligations under Licensing Act 2003?	No Outside scope of Sex Establishment Policy.
41	Mark Smith		1 Replica comments to respondent No. 2 above (SEVs only)	As per comment No.2
42	Richard Cooper	Sacred heart Church	1 Understands no objections can be made on moral grounds, but expect SCC to always ensure sex establishments are sited, regulated and monitored in such a way to ensure proper safeguarding of staff and to guard against human trafficking.	No
43	Kate Whittaker		1 Has major concerns with location limitations list not including colleges and other educational establishments for people aged 16+, student and other residential buildings and cultural and community facilities such as cinemas, theatres and museums etc. Feels that reason it is missed off is to accommodate Spearmint Rhino in its current position.	Yes Location list added to – see page 12 of policy. In the case of renewal applications, the fact of whether development has occurred since the premises has been in operation will be considered. Applicants are advised to be aware of new developments occurring in the area of their premises and detail in renewal applications how negative impact on new developments may be mitigated.
			2 Requests for above premises to be included into policy, with full explanation of why (if not included) in line with how SCC have fully considered their PSED in the decision.	Yes See above
			3 Challenged Paragraph 9 of policy which contradicts itself to allow 2 SEVs but reduce normalisation of the sexualisation of the objectification of women.	Yes Paragraph 9 removed.
			4 Feels the allowing of 2 SEVs in Sheffield is contrary to PSED, which has to be applied in exercising all functions including policy setting and licence application consideration.	No PSED fully considered when writing this policy and EIA undertaken.
			5 Wishes for policy to be amended to state that no areas in Sheffield are suitable for SEVs to be located, especially not in the City Centre, residential areas and mixed use areas, with additional above stated buildings/premises.	No This policy does not specify any limit on sex establishments.
44	Citizen Space Respondent		1 It is important that any decisions made under the new code ensure that a healthy understanding of sexual activity is promoted.	No
			2 Agrees with ban on Sex Cinemas and general limitations on other types of premises.	No
			3 Any decision which affects another person is a 'moral' decision, so wonders what constitutes our moral code?	No Moral in this sense has its normal meaning.
45	Citizen Space Respondent		1 A heavier restriction on SEVs reinforces the perception that sex should be restricted and controlled. The numbers of restrictions placed on SEVs should be comparable to any other venue, and	No Any restrictions are in line with those permitted in legislation

Overview of Stage One Comments

			for the same reasons.	
46	Citizen Space Respondent		1 Agreement with current imposed limits in policy as there are currently 18 sex establishments, with one exclusively for homosexuals.	No Number stated leads us to believe responder may be referring to venues outside of scope of this policy
47	Citizen Space Respondent		1 There is too much information and seems a bit confusing. Main reason is that there are premises of the adult nature already based near the school also near a religious place so why was a license granted in the first instance.	No Content cut down to make document clearer Consultation is for implementation of a new policy.
			2 Why has Darnall got 2 permitted?	Yes Policy updated - does not specify any limit on sex establishments.
48	Citizen Space Respondent		1 Does not agree with proposed number limit in policy as feels that if there is a market demand for more, then it would be better for the community to permit empty business premises to get used rather than stay vacant?	Yes This policy does not specify any limit on sex establishments.
49	Citizen Space Respondent		1 Sees no harm in the amount of establishments as they provide a service for people that want to use them.	Yes This policy does not specify any limit on sex establishments.
50	Citizen Space Respondent		1 As long as premises are not on high streets, they don't feel why there can't be more than 2 premises.	Yes This policy does not specify any limit on sex establishments.
			2 Thinks places for entertainment should be allowed to run as licenced brothels then at least people could be kept safe, girls tested, etc.	No Brothels/Saunas are outside the scope of this policy.
51	Citizen Space Respondent		1 Feels it's one of the only careers paying more than the minimum wage in Sheffield for people without a degree. It is an arbitrary way to proceed. Make no concession to the quality and compliance of the establishment.	
			2 Agrees that in some parts of the city it would be undesirable to have a proliferation of such uses, however, if there is a demand for SEVs then this should be supported in certain parts of the city.	No In line with what Policy says.
52	Citizen Space Respondent		1 Disagrees with setting a number limit feeling it is unnecessary, and feels that each application should be assessed on their own merit.	Yes This policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits on a case-by-case basis.
53	Citizen Space Respondent		1 Disagrees with setting a number limit. States there is a certain market for a well – regulated strip club industry, with Sheffield having a culture where this sits ok, having spent a chilled evening enjoying it. Feels there is no market for an explosion of	Yes This policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits

Overview of Stage One Comments

54	Citizen Space Respondent		<p>such venues, so it can be dealt with very well on a case by case basis, without the need to provoke a major issue.</p> <p>1 Feels that the imposition of small numerical limits will always be completely arbitrary with no data-driven means to back them up or verify their efficacy. EG: a sex shop could open up on Road A in Ward B, meeting all of the criteria for location, safety and management responsibilities. A second shop located 20 yards up the road, also meeting all location, safety and management criteria would likely be rejected, simply because the numbers cap has been hit. This not only reduces competition for the benefit of the customers, but also discourages investment.</p> <p>2 Either a location is suitable for a venue of a particular kind or it is not. The existence of one or more venues is not a problem provided they meet suitable external presentation criteria.</p> <p>3 Part 8 – “Numbers and Limits” is completely arbitrary, it discourages free enterprise and competition which may lead to higher quality venues becoming available. It provides those that own the existing licenses with a near monopoly on the services that they offer.</p> <p>1 Feels it there too much reading.</p> <p>1 Wonders why Darnall Ward has been lumbered with twice the number of sex shops than anywhere else.</p> <p>2 What about ‘massage parlours’ they don’t seem to fall into any of the stated categories. We have one near us that I highly object to. It is near a primary school and in a residential area. It has been raided by the police already and more recently there was an armed hold up there in broad daylight! We don’t want this here near our homes and our children walking past it to school. Why is it here and what legislation/ licensing does this come under?</p> <p>1 Feels number of lawful premises should be left to market demand.</p> <p>1 Feels SCC should not impose a moral limit on the numbers of establishments, and that they should be away from residential areas. Asks why it should be controlled so much whilst ever its adults and no- one is being forced?</p>	<p>on a case-by-case basis.</p> <p>Yes This policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits on a case-by-case basis.</p> <p>Yes This policy does not specify any limit on sex establishments.</p> <p>Yes This policy does not specify any limit on sex establishments.</p> <p>Yes Content cut down to make document clearer.</p> <p>Yes This policy does not specify any limit on sex establishments.</p> <p>No These premises are outside the scope of this policy.</p> <p>Yes This policy does not specify any limit on sex establishments.</p> <p>Yes This policy does not specify any limit on sex establishments. Location restrictions included on page 12.</p>
55	Citizen Space Respondent			
56	Citizen Space Respondent			
57	Citizen Space Respondent			
58	Citizen Space Respondent			

Overview of Stage One Comments

59	Citizen Space Respondent	<p>1 Terms like "normalisation", "sexualisation" and "objectification" are too vague and subjective in this context. They are usually used in relation to images and representations in the media, a very different context. On page 17, the document states that the licensing authority will use plain language as the first listed principle. Further down it is stated that advice (by licensing officers) will be given simply and clearly. Jargon should, then, be avoided.</p> <p>2 Consideration of the views of the women who freely choose to work in such establishments should be included in the policy. There is a case for including the defence of the right of women to freely choose to work in sexual entertainment venues.</p> <p>3 Under consideration of equalities within the policy, with accessibility for disabled customers being potentially an issue.</p> <p>4 Note that gender equality is achieved by comparable treatment of entertainment provided mainly by women for men with that provided mainly by men for women (in so far as both are provided). The "Brief Encounters" nights at Crookes Social Club are an example of the latter. (Likewise, any entertainment provided for gay men should be treated comparably with any provided for lesbian women).</p> <p>5 Numbers proposed are ok in principle, but seems to be a bit meaningless to limit numbers by ward as only a small number of wards are likely to have premises in them such as City Centre and Attercliffe. A total number for the city or an appropriate number in particular neighbourhoods might be more relevant.</p> <p>6 If sufficiently far apart and reasonably discreet, perhaps there could be more than 2 SEVs? however market forces presumably limit numbers anyway.</p> <p>7 Once one shop or venue is permitted, there is also an argument to allow competition with it to stop over-charging of customers.</p> <p>8 Part 14 of policy seems well written and well judged.</p> <p>9 In the Introduction (part 1), I think the words "sexualisation" and "objectification" of women are not appropriate in this context, as the women are the active party in choosing to work in sexual entertainment venues. Women have a right to work as striptease artists, etc. However, guarding against the</p>	<p>Yes Terms removed Content cut down to make document clearer.</p> <p>Yes Consultation undertaken with workers of SEV.</p> <p>No It is not considered likely that the equalities obligations are at risk as there is no perceivable risk of unequal access to the services between different equality groups, save for those under 18.</p> <p>No Policy does not refer to provision of services for specific gender.</p> <p>Yes This policy does not specify any limit on sex establishments. Location restrictions included on page 12.</p> <p>Yes This policy does not specify any limit on sex establishments. Location restrictions included on page 12.</p> <p>Yes This policy does not specify any limit on sex establishments.</p> <p>No Refers to locations section</p> <p>Yes Terms removed.</p>
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Overview of Stage One Comments

			exploitation of women who work in the venues is valid, i.e. being treated unfairly financially or being required to work too many hours say. Or perhaps through them being expected to do anything they are uncomfortable with or that they find unreasonable. Note that "exploitation" should not be interpreted to occur, ipso facto, due to the nature of the entertainment, provided the women (or men) have chosen freely to do the work.			
60	Citizen Space Respondent		1	Partially agrees there should be a limit, but that splitting it by ward or limiting to low numbers is fairly conservative and ignores the capacity for there to be a hub for this sort of venue.	No This policy does not specify any limit on sex establishments. Location restrictions included on page 12.	
61	Citizen Space Respondent		1	As long as businesses are regulated and do not exploit children or other vulnerable people, why should there be a limit on numbers of premises?	No This policy does not specify any limit on sex establishments.	
62	Citizen Space Respondent		1	Written in legal language. Very long. Doesn't explain if this policy changes a previous one. Doesn't set out the recommendations in a clear and coherent way. Isn't clear what the proposals actually mean.	Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.	
			2	One of the proposals seem to be that only 1 sex shop will be allowed in each Ward but Darnall, but doesn't go on to explain why Darnall has 2? How many establishments there are in the City at present? And if there's one per Ward plus 2 would that mean more establishments across the City or less	No longer applicable This policy does not specify any limit on sex establishments.	
			3	If there are more than 1 in a Ward would the Council be revoking the licences to the others? How would the Council choose which establishment had their licence taken away?	No longer applicable This policy does not specify any limit on sex establishments.	
			4	Mentions opposition to sexual exploitation and grooming as well as our Safeguarding procedures. Also protecting the most vulnerable.	Yes Policy expects licence holder to ensure all members of management and staff attend safeguarding training.	
63	Citizen Space Respondent		1	No attempt at a public facing document or easy read version has been made (from what I can find online) therefore you're limiting responses to the consultation - whether deliberately or not - as only those with a certain level of comprehension will bother to read a full policy document as it is currently laid out. The policy document should be available of course but a more public-friendly version should be available so that people really understand what they're being asked to comment on. The policy does give all the detail - but another, more public friendly version, or even an executive summary version should be made available	Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.	

Overview of Stage One Comments

			<p>2</p> <p>Feels focussing on the numbers of establishments is the incorrect focus, instead being how sex workers (men & women) are kept safe while working – physically, mentally and emotionally with restrictions and higher safety measures on the customers or clientele of these establishments – particularly SEVs.</p>	<p>Yes</p> <p>This policy does not specify any limit on sex establishments. Conditions (separate document) detail expected operating practices.</p>
64	Citizen Space Respondent		<p>1</p> <p>Feels establishments should not be in mainstream areas of the city centre such as West Street, where there are large numbers of young people going out. Young women should not have to put up with being in proximity to these establishments, just to be getting on with their social life. There needs to be a clear demarcation of areas.</p>	<p>No</p> <p>Location restrictions included on page 12.</p>
65	Citizen Space Respondent		<p>1</p> <p>The policy directly contradicts itself in aiming to uphold the 'Public Sector Equality Duty' under Section 149 of the Equality Act 2010; in particular the need to eliminate discrimination, harassment, victimisation, etc.', yet allowing SEV's within our city boundary. A venue which trades in the bodies of women as sexual objects to be paid for is NOT helping to support equality between different genders.</p>	<p>No</p> <p>Such establishments are legitimate businesses by way of legislation. PSED fully considered when writing this policy and EIA undertaken.</p>
			<p>2</p> <p>Supports the aim of the Licensing Authority endeavouring to reduce the normalisation of the sexualisation and objectification of women, avoid exploitation of women and to promote healthy sexual practices. But, does not see how licensing a SEV reduces the normalisation of the sexualisation and objectification of women in any way.</p>	<p>Yes</p> <p>Paragraph using the terms referred to has been removed.</p>
			<p>3</p> <p>Feels SCC are contradicting themselves by seeing a nil cap as a negative move, and feels we are not really committed to gender equality.</p>	<p>No</p> <p>This policy does not specify any limit on sex establishments.</p>
			<p>4</p> <p>Feels the policy leads directly to the harassment of women like herself. Feels sick of making choices about where she can and cannot walk, where she drives, based on the violent actions of men because they feel entitled to her body. Requests SCC to stand up to the money that fuels this industry and protect the rights of all people living in our city.</p>	<p>No</p> <p>Sanders, Hardy and Campbell, 2015 state: <i>"Campaigns seize on unsubstantiated claims regarding strip clubs encouraging violence against women in the area, or suggesting that customers who buy striptease will be become violent and sexually predatory. Yet claims to the secondary effects of strip clubs are unsubstantiated in terms of increasing the number of crimes"</i>. (Hanna, 2003; Ward and Wylie, 2010; Jackson, 2011). (P.85) SCC has found no evidence of this link nor have they been provided with such.</p>

Overview of Stage One Comments

66	Citizen Space Respondent	1	Thinks that the limits for sex shops as 1 per ward offer the opportunity for a proliferation of establishments in areas where there are currently none. Additional sex shops being allowed in certain wards is a nonsense. Thinks that sex shops and SEVs should be excluded from the city centre wards- this area has high visitor number of all backgrounds, and is essential in the image we project for our city	No This policy does not specify any limit on sex establishments. Location restrictions included on page 12.
		2	For full consultation, notifications of applications could also be required to be shared with the Council's equalities hub	No Legislation stipulates application process.
		3	Part 14, which states that each application will be treated on its own merits, allow the licensing board to ignore any of the restrictions under location and to decide for themselves what is appropriate. This is not helpful to applicants, objectors or committee members in determining a consistent policy or grounds for application or objection. Clear and applicable guidelines should be laid out in the policy on these matters.	No A Local Authority can set guidelines in the form of a local policy. A policy is not legally binding, with final discretion being given to the Licensing Committee. Each application will be decided upon its own merits and the Licensing Authority will give clear reasons for its decisions.
		4	Would like to see more regarding the welfare of employees and how this will be achieved and monitored. The policy states it will be up to the licensee. Might there be some regular reporting prior to the licensing committee on how this is being carried out and the outcomes of it?	No Conditions (separate document) detail expected operating practices.
		1	City Boundary is unclear. Do you mean the City Centre S1/S3, or the whole of the city?	No Policy refers to whole of city.
		2	Policy says what you want to do, but doesn't say what will happen to the existing Establishments, or indeed, the Workers of those Establishments. Not every lady is Thai / Philippines, or Polish, Czech, Slovak, Slovenian, Hungarian, or Romanian. Many are still, Yorkshire born, with good education standards, who do this job, because of the high rate of pay, flexible hours, and in some cases, because they actually enjoy being a service provider. As one says "it's better than minimum wage, in a supermarket, on my feet all day, dealing with shouting and screaming".	No Comments refer to saunas - do not fall under the remit of this policy.

Overview of Stage One Comments

			<p>3</p> <p>As there are currently 18 Sex Entertainment Establishments + 1 exclusively for Homosexuals. Sheffield City Council, together with South Yorkshire Police, establishment owners, created the standards for Sauna & Massage Parlours in the 1970's, during the time of the Yorkshire Ripper. Although the Sheffield Labour Party's councillors Progressive by nature, (banning thing like Circus' with Wild Animals etc) they were also realists. One key aim was to get Women off the streets. To stop public nuisance, but also make it safe for the Lady's. And number of rules were drawn up, which included: -All Working Ladies must be over 18. Working of their own free will. -Not under the influence of a Pimp or Drug Addiction. -The Ladies, must not be using Heroin via injection, or smoking Crack Cocaine. -The Ladies must be Drug and Disease free. With the University of Sheffield, medical departments trainees, visiting regularly, each establishment and their Workers, to take Swabs and Blood. -All Clients must be over 18. -Further all Penetrative sexual activity, must use a Condom (One of the reasons Sheffield, and most other cities that followed Sheffield, did not see, a massive AIDS epidemic in 1980's /1990's. Nor indeed a Herpes, Gonorrhea, or Hepatitis in the 1970's. -Further, kissing was banned, to stop Herpes, but also Tuberculosis, and other infectious diseases. This policy was changed circa 1998, when Kissing, and Oral Sex Without a Condom was suddenly allowed, (though the ejaculate was seldom taken into the mouth). At the same time, the Standard Massage Bench, was replaced by a Bed. The Ladies would have to perform a full massage of the nude, back and front, examining his body for any potential infection. Further, the Establishments were to have a Gentleman's Health Spa, type layout, with Finnish Sauna, Turkish Steam Room, Showers, Clothes Lockers, and a TV Lounge. (Some added Jacuzzi (The Omega) or in the case of (The Ambassador), a Swimming Pool. Many had Adult Film Rooms, (Showing Erotic / Hardcore Porn movies) which were classed as Cinemas, and South Yorkshire Fire Services would have to visit and ensure they met safety standards). A Few Establishments had Drinks Licences</p>	<p>No Comments refer to saunas - do not fall under the remit of this policy.</p>
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Overview of Stage One Comments

				<p>(Crystal Suite, Caesars). The Ladies were free agents, mostly working the shifts which suited them. Though for some of the 24hour establishments, if they wanted to work the prime time (Friday/Saturday evening, and Sunday afternoon), then they may have to do a 10pm to 8am overnight shift on a Wednesday. How the Ladies were charged is an issue. Some paid a fixed fee for working a shift e.g. £25. Others had to pay a 50/50 split.</p> <p>Can understand the desire to remove the Establishments from the main Roads in the City. But that means the closure of: -GEMS, 778 Attercliffe Road -The Honeypot, 774 Attercliffe Road -GFE (The Girlfriend Experience) 10 Worksop Road -Crystals Massage, 150 Worksop Road -The Athena, 707A Attercliffe Road -Hanky Panky (Sex Shop) 707 Attercliffe Road -The Diplomat, 697 Attercliffe Road -Fantasia, 728 Attercliffe Road -Desire (Sex Shop) 619 Attercliffe Road -La Chambre (Swingers Club) 528 Attercliffe Road -First Class, 557 Attercliffe Road -Kittens, 380 Attercliffe Road -Pandora's, 387 Attercliffe Road -City Sauna, 160 Attercliffe Road</p> <p>Only -OMG Massage Parlour & Gentleman's Club, 5 Carlisle Street -Caesars, 14 Stanley Street -Paradise Studios, Britannia Steel Works, Furnival Road, S4 7YA Would be unaffected in the Don Valley.</p> <p>All you will do, is increase the number of Girls operating in Private Flats / Rented Housing, and also Women on the Street in Neepsend, Broomhall, around Jessops Hospital, or off Rockingham Lane. Many of the Male Clients too.</p>	
68	Citizen Space Respondent		1	<p>Asks why is it considered appropriate for Darnall Ward to have double the number of establishments? Can this be amended to 1, the same as all other wards?</p>	<p>No This policy does not specify any limit on sex establishments.</p>

Overview of Stage One Comments

	2	<p>Since I live in the middle of Attercliffe (the heart of the Sheffield Sex establishments industry) and am very aware of the businesses in this area. There are 7 establishments in or around Attercliffe Road (and more in and around Darnall) which are well known locally to allow sexual activity to occur between 'performers' and customers (brothels). There are also 2 shops which sell articles associated with sexual activity (one of these shops has risqué displays in its windows).</p> <p>I have also observed women who appeared to be drunk/incapacitated/vulnerable being escorted into one of these premises. At one time, I saw a young girl being dragged into premise that I believed to be operating as a brothel at the time - I called the police and don't know the outcome. Hence, I am concerned about the possibility of CSE and vulnerable adult exploitation.</p> <p>Another premises attracts a large number of patrons for 'sex parties' involving more than one partner, this is prevalent every Saturday night. I have been harassed and made fearful at night by men who were kerb crawling (looking for prostitutes from which to purchase sexual services). These men appear to be attracted by the reputation of the Attercliffe area, and under the presumption that because there are many brothels in the area that there will also be street prostitutes. Consequently, they can and do stop and proposition a woman who is going about her own business and is not offering such services. As a consequence of this harassment behaviour from kerb crawlers, I avoid going out at night and when I have to go out due to unavoidable circumstance, I cover up with as much as possible so as to avoid the harassment. As a female I feel that I cannot wear short skirts or shorts or fitted tops or high heels when out and about in the area in which I live, if it is after dark, & even if its summer. Even clothed from head to foot I have still been harassed by kerb crawlers when I have been standing on Attercliffe road to wait for a taxi.</p>	<p>No Comments refer to saunas - do not fall under the remit of this policy.</p>
3	<p>I have children and the risqué window displays of one establishment have long been a particular problem to explain, especially as the mannequins show disproportionately exaggerated representations of womens' anatomy.</p>	<p>No Conditions (separate document) for Sex Shops have been implemented to ensure all window displays are prohibited.</p>	

Overview of Stage One Comments

69	Citizen Space Respondent		<p>4 My children did not go to school in Attercliffe, because until recently there were no schools in Attercliffe. However there is now a school (Oasis Academy) with a 'through' intake (Nursery to 18) and the second university technical college, which takes children from age 14-19). I am concerned that the operation of so many Brothels around those schools may cause undue and unnecessary safeguarding risks to some of the children and staff. (Such as kerb crawlers targeting female students for example). Having been a victim of kerb crawling in this area myself I know how insistent the men in those cars can be, I am concerned that children and young people may be less resilient at saying "NO" and threatening to call the police, compared to me, as I am older and more accustomed to this area. In fact there are 2 brothels almost directly opposite the Oasis Academy.</p>	<p>No Concerns outline issues with saunas in Attercliffe area, outside the scope of this policy.</p>
70	Citizen Space Respondent		<p>1 Part 13 e) protection and physical/psychological welfare. This should be amended to include more detail on how employees and performers will be protected and what training/education/experience makes every applicant an appropriate person to provide this. The UK Network of Sex Workers has lots of information about how policies can be made to ensure employees are treated well by their employers.</p> <p>1 It does not appear to contain any justification for the proposed limit on numbers of establishments.</p> <p>2 "We feel we must endeavour to reduce the normalisation of the sexualisation and objectification of women, avoid exploitation of women and to promote healthy sexual practices." How about reducing objectification and exploitation of men? Probably one of the only careers paying above the minimum wage in Sheffield for people without degrees.</p> <p>1 Part 1 Introduction: "The Council does not take a 'moral' stand on adopting this policy or when determining applications under this policy." Followed 2 paragraphs later with "As the Licensing Authority we feel we must endeavour to reduce the normalisation of the sexualisation and objectification of women, avoid exploitation of women and to promote healthy sexual practices". Having shown this around Sheffield the "East Side" I can say we find this another example of a core of feminist councillors imposing their views on the real working class women of Sheffield.</p>	<p>No Policy already outlines requirement for Safeguarding training to be undertaken by management and workers. A copy of the codes of practice for performers, the rules for customers and the policy of welfare for performers (SEV's only) must be provided to the authority at application.</p> <p>No This policy does not specify any limit on sex establishments.</p> <p>Yes Paragraph reconsidered and removed. Document does not refer to either sex.</p> <p>No</p> <p>Yes Paragraph reconsidered and removed.</p>
71	Citizen Space Respondent		<p>1</p> <p>2</p> <p>1</p> <p>2</p>	
72	Citizen Space Respondent		<p>1</p>	<p>Yes Content cut down to make document clearer.</p>

Overview of Stage One Comments

			minority interest group. What you would expect from a City Council that long ago ceased to represent the majority of its citizens.			
		2	Feels plain speaking would help.			Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary.
		3	It is an arbitrary way to proceed. Make no concession to the quality and compliance of the establishment.			No
		4	Life is too short			No
73	Citizen Space Respondent	1	Agrees that in some parts of the city it would be undesirable to have a proliferation of such uses. However, if there is a demand for sex entertainment venues then this should be supported in certain parts of the city.			No
74	Citizen Space Respondent	1	The whole issue regarding the high number of sex shops and massage parlours in the Attercliffe area needs to be looked at again. Some of these establishments are next door to the Olympic Legacy Park and Oasis school which is not suitable.			No There are currently 2 sex shops in Attercliffe. Saunas are outside scope of policy.
75	Citizen Space Respondent	1	Some parts are difficult to understand (written in 'legalese')			Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary.
		2	Part 13 (page 10) states the conditions for suitability of applicants. It then says "It is unlikely that a licence will be granted if: - Any of those persons detailed above have any of these offences; - etc." This should read "A licence will not be granted if" - non-compliance with any of the conditions mentioned should result in a rejection, and this should need made clear.			No Unable to reject - application must be referred to the Licensing Committee to determine.
		3	Part 17 (p.12) states "No weight will be given by the Licensing Committee or the Licensing Authority to objections that are in their opinion repetitious and have already been considered previously." This is unclear: Does it mean repeated objections from the same person/organisation? Or similar objections from a number of persons/organisations (e.g if 300 residents objected to a licence on similar grounds, would this just be treated as 1 objection?) And what does "considered previously" mean? Or in the same process? This should be made clearer, for the benefit of the general public.			Yes Removed from policy.
76	Citizen Space Respondent	1	The number of sexual entertainment venues should be set at 4.			No This policy does not specify any limit on sex establishments.
77	Citizen Space	1	Believes establishments should adhere to some form of infection			No

Overview of Stage One Comments

	Respondent		prevention and control policies that cover both premises and staff.	Comment suggests may be referring to Brothels/Saunas, which are outside the scope of this policy.
78	Citizen Space Respondent	1	Where an establishment is licensed as a sex shop or adult entertainment venue and is clearly breaking the law and therefore the licence. The licence should be revoked.	No Legislation, policy and conditions will be enforced and action taken as and when required.
79	Citizen Space Respondent	1	These establishments should be entirely limited in order to enable South Yorkshire Police to do their job in crime prevention, which is already suffering severe problems. These sex establishments introduce further crime by encouraging sexual perversion, and the unavoidable sex solicitation and prostitution. It is not possible to police such a high level of immoral sexual activity, which is designed, by default, to encourage morbid sex outside normal human relationships. This city has already seen enormous level of tragedies both in the exploitation of children and prostitutes and it is in the full responsibility of Sheffield City Council to stop this Armageddon that is driving the city into dire poverty, dubious international investments, and using the native women to sexually satisfy foreign and local visitors and customers.	No Comments suggest may be referring to saunas, which are outside the scope of this policy.
		2	This whole document is a legal sham designed to present Sheffield as a massive, giant brothel which has only one thing to offer: quasi-business services through small companies that broker larger companies through a myriad of irrelevant meetings, hidden handshakes, and a lot of sexual activity outside the boundaries of a normal society. People who have designed this document are obviously completely out of touch with anything that is of moral value to the society, as they mention the students as potential customers of such venues. Obviously, their degrees, if any, were obtained through a complete sham.	No Comments suggest may be referring to saunas, which are outside the scope of this policy.
		3	Three main points to raise here are: -if South Yorkshire Police has to actively police these establishments to ensure the lawful activity, however morbid such a law may be, they cannot police our crime infested city, where they even do not respond to family nor child abuse calls anymore as they have to deal with theft and murder. The articles about Sheffield have now reached a tragic level and we are seen as an undeveloped society. -Any sexual activity outside the normal human relationship can lead to only two outcomes: A) masturbation and/or B) prostitution. The option B implies that any sex entertainment venues are henceforth and by default the channels of sex solicitation, which is illegal. It is simply NOT possible to control the outcomes of the raging sexual impulse once the contact has been initiated and it is NOT	No Comments suggest may be referring to saunas, which are outside the scope of this policy.

Overview of Stage One Comments

				<p>possible to police the activities which take place outside such sex entertainment venues. To believe the otherwise would be mental illness. -Industrial clubs associated with Sheffield's business centres, including the largest industrial university research centre in the world, are openly admitting that their members engage in both sex solicitation by recommending the desirable venues (which may serve also as industrial espionage venues if the same prostitute is deliberately used by say customers from Boeing and Airbus), and day/night prostitution. Some members attend the meetings at these centres only so that they can engage in prostitution and sex entertainment while on company's budget, and are often seen to disappear in the morning and to return to their meetings in the afternoon. If this is what our city is supposed to encourage, then I would suggest that you publish this information in the open media, and see how many intelligent and educated citizens and academics you may be able to retain. I know for sure that having been a senior manager, a professor and research centre establisher in this city, I am not there anymore for the above reasons, and all my highly skilled colleagues have left after I left the university. Those who remained are of the suitable moral level and can digest these wonderful features that our city may offer to just about anybody who applies, of course, for the lowest common denominator that any city on this planet can offer.</p>	
80	Citizen Space Respondent		1	<p>The Darnall Ward has a number of establishments that don't appear to fit under the definitions and regulations of Sex Shop, Sex Cinema or Sexual Entertainment Venue. A number of these establishments are in close proximity to the Oasis Academy Don Valley and UTC Sheffield Olympic Legacy Park and the soon to be opened Olympic Legacy Park recreational area, all of which are used by children under the age of 16 therefore creating safeguarding issues. A number of these establishments are clearly visible from Attercliffe Common and Attercliffe Road, a central gateway to the city. Legacy Park Ltd is facilitating delivery of the Olympic Legacy Park (OLP) which will act as an economic re-generator for the Lower Don Valley. The location of the above-mentioned establishments may have a negative effect on attracting inward investment to the area.</p>	<p>No Comments suggest may be referring to saunas, which are outside the scope of this policy.</p>
81	Citizen Space Respondent		2	<p>We agree with imposing a limit on the numbers of such establishments; however the Darnall Ward clearly exceeds the limit quite excessively.</p>	<p>No Comments suggest may be referring to saunas, which are outside the scope of this policy.</p>
			1	<p>Policy is largely easy to understand but does not provide a definition of a "moral" objection or give examples of such.</p>	<p>No Moral in this sense has its normal meaning</p>

Overview of Stage One Comments

82	Citizen Space Respondent		2	<p>It is not clear why, if SEVs are places where no sexual contact is allowed, there needs to be sexual health literature available. This would appear to be an admission of the Council that SEVs are establishments where sexual contact takes place.</p> <p>Very wordy - could be summarised easily without losing the essence of its meaning. If we want Sheffield residents to engage in the 'political' and governing processes and make meaningful contribution you need to make it easier - which does not have to mean 'watering down'. Being faced with a wordy 35 page document is not something, I think, most ordinary council tax payers would find easy.</p>	<p>No No physical contact is permitted in such venues, and proposed conditions state this.</p>
			1	<p>Very wordy - could be summarised easily without losing the essence of its meaning. If we want Sheffield residents to engage in the 'political' and governing processes and make meaningful contribution you need to make it easier - which does not have to mean 'watering down'. Being faced with a wordy 35 page document is not something, I think, most ordinary council tax payers would find easy.</p>	<p>Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary.</p>
			2	<p>The policy as a whole seems to suggest Sheffield City Council does not condone prostitution yet there is very little doubt that there are a number of known brothels in Sheffield. Recently there has been national coverage of one such establishment on Channel 4. If we don't really want this underbelly to our city - why don't we stop pretending we are doing something about it and DO something good about it - something that would free us as citizens and those directly involved, from the chattel of this oppressive, degrading and ultimately profoundly damaging 'industry'. Not just shift it to another area: Wicker (which has just started to recover from years of neglect) as has been muted by Attercliffe businessman David Slater. It's an ill thought out and I'll willed suggestion that will rob the Wicker of its unique creativity, a cosmopolitan and inviting community (not perfect but growing and developing) and life - in the form of residents, students, families who eat in its restaurants and use the nursery, young men who frequent it's barbers and cafés and the thoroughfare (of all kinds of people including secondary school pupils) who go to and from town and Spital Hill. These will die if the 'red light' district suggestions are given any serious consideration.</p>	<p>No Comments suggest may be referring to saunas, which are outside the scope of this policy.</p>
83	Citizen Space Respondent		1	<p>Part 15 of policy does not set out the public notice requirements it refers persons to the licensing authority. The requirements should be appended to the policy or at the very least set out on the web site and reference made in the policy to the web site.</p>	<p>Yes Removed from policy – more guidance.</p>
			2	<p>Part 16 deals with objections. No reference is made to the position of representations which are supportive. Persons who may want to support an application are given no assistance by the policy. The policy is silent as to what the authority would do with any representations in support of the application.</p>	<p>No Supportive representations will be considered by the Licensing Committee if an application is referred to them for determination.</p>
			3	<p>In relation to SEV premises the limit of 2 is small given the extensive geographical area within the city boundary</p>	<p>Yes This policy does not specify any limit on sex establishments.</p>

Overview of Stage One Comments

<p>No Could be helpful but premises not yet built and/or licensed would not be able to adhere to this.</p>	<p>Part 12 sets out the documents in support of an application. There is a requirement to have a drawing of the front of the premises. This should be amended to include reference to a photograph/digital image.</p>	
<p>Yes Wording included.</p>	<p>Part 13 sets out the requirement for Disclosure Scotland Certificates and should refer to them being dated no earlier than 5 weeks prior to the submission of the application.</p>	
<p>No A copy of the codes of practice for performers, the rules for customers and the policy of welfare for performers (SEV's only) must be provided to the authority at application.</p>	<p>The requirement for the operator to act in the best interests of the performer including their physical and psychological welfare. It is not clear what the psychological requirements are? Does this require a psychological report? This requirement seems far too onerous and disproportionate</p>	
<p>Yes Removed from policy.</p>	<p>Part 16 makes reference to repetitious objections. The definition must be with reference to the circumstances of the application. It is possible that where there has been a change in circumstances since the previous consideration then an objection may not be repetitious.</p>	
<p>No Section removed. Legislation not policy.</p>	<p>Part 22 – Cancellation, deals with the situation on the death of the licence holder. The policy is silent on the position of the dissolution of a company. The policy should be silent on both situations. This is a matter for parliament and not a measure the local authority has any power to direct. The act is silent on what happens on the death of a licence holder. The licence therefore continues until it expires or it is surrendered by the personal representatives of the deceased licence holder. If the authority are not with me on that point then consideration needs to be given to the situation where the licence may be held by 2 or more persons.</p>	
<p>No Conditions removed from policy – separate document.</p>	<p>Conditions 5 and 6 remove the ability to use flyers with a lawful licence and no reason is given.</p>	
<p>No A copy of the codes of practice for performers, the rules for customers and the policy of welfare for performers (SEV's only) must be provided to the authority at application.</p>	<p>The requirement - "that the operator will act in the best interests of the performers, in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored (SEV only)." - is not explained how this may be satisfied - is a medical expert required?</p>	

Overview of Stage One Comments

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APPENDIX 'B'

Overview of Consultation Responses - Stage 2 Consultation Results Table

Overview of Stage Two Comments

No.	Name	Organisation Details	Overview of comments	Has the policy been updated following the comments?
1	Tony Prince		1 Feels Section 5 of policy is confusing and contradictory as refers to 'lap-dancing' which he feels goes against no-touch policy. Suggests removal of this term to avoid confusion.	No Wording taken from Home Office guidance.
2	Kay Wallace		1 I thank you for emailing the amended sex establishment policy document and just wish to register that I am entirely happy with the contents.	No
3	Faith Magowan	Tinsley Methodist Church	1 Feels sex establishments diminish reputation of already deprived and neglected areas, and doesn't want outsiders coming into the areas that seek debauched sexual activities.	No
			2 The presence of Sex Shops, etc. in mixed faith communities would be abhorrent, which could cause barriers between people who are wanting and trying to form understanding.	No
4	Janice Singleton	Darker Enterprises Ltd	3 Already existing issues in many cities of prolonged and ruthless sexual exploitation of children. Asks, do we really want to draw further attention and attract people to add to this?	No Under 18's are not permitted to work or gain entry in such premises. Policy expects licence holder to ensure all members of management and staff attend safeguarding training.
			4 Sex Establishments need locating very well away from residential areas, with the welfare of citizens, children and adults being giving the highest priority.	No Location restrictions included on page 12.
4	Janice Singleton	Darker Enterprises Ltd	1 Feels document should not be called a 'policy' as it is not binding, and following the statement within the policy which states that 'each application will be considered on its own merit', feels it is a fettering of the decision making process as policy is used to guide applicants about the success of their application. Term 'guidance' should be used instead.	No Syntax issue.
			2 Part 3 – Provision of Services Regulations 2009 – Feels statement about fees does not reflect current situation, as the matter is awaiting final judgment from Supreme Court after reference to the European Court of Justice.	No Regulations stated.
4	Janice Singleton	Darker Enterprises Ltd	3 Part 8 – Cannot accept a prior determination by ward boundaries meets the requirements under the Act, referring back to initial statement of being judged individually on own merit.	No This policy does not specify any limit on sex establishments. Location restrictions included on page 12.
			4 Part 13 – Cannot see point of Disclosure Scotland Certificate requirement when Act stipulates that a copy of the application is to be served on Police during application process anyway.	No Help authority establish fit and properness of applicant.

Overview of Stage Two Comments

5			<p>5 Part 14 – Feels phrases such as “will not licence premises that it feels are in close proximity to” and “Matters that will be taken into account are the visible and physical impact of the premises, any advertising or displays and its customers both from the place in question but also to people entering or leaving” are too absolute. Statement replacing this should be: “Before deciding to refuse a licence, members should consider whether grounds for refusal can be met instead by the imposition of conditions. They also need to be satisfied that any grounds are sufficiently serious to justify refusal, i.e. that the refusal of the proposal is a proportionate response.</p> <p>6 Part 24 – Suggests words “if applicable” are inserted after plan, as this would not always be relevant if the variation is to change something such as opening hours.</p> <p>7 Part 25 – Suggests wording regarding timescale for hearings is amended to read, “any hearing will take place as soon as practical or within 20 working days of notice given by the applicant that he requires it to be held” to ensure there were no grounds to argue undue delay which can occur due to applicant availability or elections for example.</p> <p>8 Has some reservations over conditions relating to badges but feels this can be addressed in terms of renewal application.</p>	<p>Yes Wording on page 12 amended.</p> <p>No Removed.</p> <p>Yes Removed.</p> <p>No Conditions removed from policy – separate document.</p> <p>No Such establishments are legitimate businesses by way of legislation.</p> <p>No SCC has found no evidence of this nor have they been provided with such.</p> <p>No SCC has found no evidence of this nor have they been provided with such.</p>
5	Judith Dodds		<p>1 Feels policy seeks to excuse Sheffield Council’s approach to licensing sexual entertainment venues (SEVs), resting on the premise that any potential harms related to SEVs can be minimised- but note they cannot be completely prevented by legislative measures and controls and that indeed greater harms would arise should they not be permitted to operate within the city This approach rests on the following mistaken assumptions: a) - that all harm lies within the walls of these venues and in their immediate vicinity and that what cannot be seen does us no harm. Suggesting women lap dancers can be protected from harm by rules that prohibit physical contact with customers. This appears to be the only potential harm acknowledged to the dancers. Says not the case within premises. b) - the harm to dancers of having to split off their emotions from their behaviour and body in order to strip and lap and pole dance is disregarded.</p>	

Overview of Stage Two Comments

c)	<p>- the cultural impact of Sheffield Council actually permitting sexual entertainment venues within the city cannot be disregarded. It gives the message that Sheffield is a city which actively permits women to be treated as objects where access to their bodies can be bought. When women are objectified and viewed as sexual objects, without regard to their feelings, emotions and rights their status is reduced (compared to that of men) and this results in a situation of gender inequality and poor relations between the sexes. Thus to permit SEVs in Sheffield is not in keeping with the Council's obligations under the Public Sector Equality Duty and not in keeping with the Equality Act.</p>	<p>No Such establishments are legitimate businesses by way of legislation. Colosi (2013) states that "it is contended that limiting SEV's will benefit gender equality by alleviating the objectification of women (Object, 2009), this view is far too simplistic. In the long term, the closure of lap-dancing clubs will result in the unemployment of women, particularly problematic in a time of recession, leading to issues of poverty where ex-dancers are unable to find employment. This also risks pushing the stripping industry underground, with more women opting to work in unregulated environments as erotic dancers, where the physical dangers can be considerable" (see Colosi, 2010b). (p. 9)</p>
d)	<p>- that SEVs are part of the entertainment and leisure industry sector rather than a major part of the sex industry, thus obscuring and normalising the exploitative working and employment conditions therein.</p>	<p>No SCC has found no evidence of this nor have they been provided with such.</p>
e)	<p>- that a nil cap would drive SEVs underground outside of any 'controls' and thus cause harm. No evidence is given for this assertion. In any case, this is a weak stance to take: it does not consider the pros and cons of SEVs per se but merely asserts there is no effective option to decide on a nil cap as they will go underground if such a cap were set.</p>	<p>(Colosi, 2013) states that "in relation to lap-dancing, along with other sex-work, it is important that this work is treated in a similar way to other 'mainstream' modes of work, rather than as a deviant or criminal activity". (p. 10). (Colosi, 2013) states that "it is contended that limiting SEV's will benefit gender equality by alleviating the objectification of women (Object, 2009), this view is far too simplistic. In the long term, the closure of lap-dancing clubs will result in the unemployment of women". (p.9) Furthermore, (Colosi, 2013) states "this risks pushing the stripping industry underground, with more women opting to work in unregulated environments as erotic dancers, where the physical dangers can be considerable" (see Colosi, 2010b). (p.9)</p>
2	<p>Strongly urge Sheffield follows the example of other Councils and sets a nil cap.</p>	<p>No SCC have no evidence to suggest a nil cap is necessary. This Policy does not specify any limit on sex establishments.</p>

Overview of Stage Two Comments

6	Charlotte Mead	Women's Equality Party	1	Clear criteria to be published regarding what has been included in the policy from the consultation suggestions including evidence to support that criteria being chosen	No This table provides overview of comments and considerations. Evidence provided where possible and available.
			2	Overall the policy needs to be more honest about what SCC's stance is on SEVs, sex shops and sex cinemas. We particularly refer to Paragraphs 9, 10, 11 & 12. There is a severe lack of evidence and a complete lack of honesty from SCC's perspective regarding their opinion of having Sex Establishments in Sheffield. Refers to Leeds CC policy, which states that although it allows Sex Establishments it accepts that they do not support equality. Policy needs tightening up with more detail, facts and honesty to assist applicants and councillors in the decision making process as a whole.	No SCC takes the stance that sex establishments are legitimate businesses by way of legislation and consultation has established that there is demand for these establishments from people in Sheffield. An EIA has been undertaken to assist Councillors in their PSED obligations.
			3	The dancers need be consulted before any policy is passed, their views need to be included in the policy and what actions SCC will take under the policy to ensure that they are aware of the policy and their rights.	No Views of dancers gathered as part of consultation.
			4	Protection of those Engaged in Performance Conditions - 5 & 6 are in direct contradiction to each other. We would urge the Council to remove 5. Stating that only with the consent of the performer can any touching take place puts the performer at a massive disadvantage. Placing the performers in a situation where they would have to prove that they had not consented to something whilst sexually performing to someone who is paying for it places them in a very vulnerable position.	No Conditions removed from policy. Separate document.
			5	Location - Cultural Hub, Cultural Industries Quarter and student accommodation added to the list of places where licenses will not be granted. Look at the possibility of listing specific roads.	Yes Cultural Hub added to location list. Cultural Industries Quarter has not. Student accommodation has not.
			6	Data to be taken into consideration – it should be included in the policy that when a SEV is requesting a renewal of their license that data showing the impact of that SEV on the area should be sought and taken into consideration when reviewing the application. Data should include crime and disorder statistics in surrounding areas to Sex Establishments.	Yes In the case of renewal applications, the fact of whether development has occurred since the premises has been in operation will be considered. Applicants are advised to be aware of new developments occurring in the area of their premises and detail in renewal applications how negative impact on new developments may be mitigated.

Overview of Stage Two Comments

	7	Throughout the policy SCC needs to show reasoning behind what it plans to do to upkeep the stated endeavours, and protection of employees in the industry, instead of just stating it, as without this, the wording is meaningless.	No Legislation, policy and conditions monitored through enforcement.
	8	Communication between SCC teams Clearer communication strategies need to be put in place between SCC departments when considering applications, such as future developments or plans for areas. For example, Spearmint Rhino is within the Cultural Industry Quarter after being initially granted a licence 10-12 years ago. Had departments communicated better, this would not have happened and the premises may well have been placed elsewhere, or not granted at all. If this license was being newly applied for now, it would almost certainly not be granted, because it does not fit with the area. The policy needs to include an operational process to avoid this happening again. SCC could refer to Manchester's policy which lists streets where SEVs will not be granted a license. SCC policy needs to be clearer.	No The Cultural Industries Quarter has been in existence since approx. 1994. The SEV in this area applied for its original public entertainments licence after the CIQ was in place and no objections were received. SCC adopted the SEV legislation in 2011. Opposition to the applications have been since the change in legislation.
	9	Removal of the third paragraph of Section 17 regarding repeat objections due to potential illegality – fettering discretion. This is completely unacceptable and our legal advice states that it is also potentially unlawful. We urge the council to remove this section completely.	Yes Removed.
	10	Consultation – There needs to be better communication to the public about when applications are made. If members of the public are not in the immediate vicinity to the premises in question they may not find out about the applications. Not everyone reads the local paper. With the most recent applications even those groups who are engaged with the process did not find out until 2 weeks into the application process, and therefore it stands to reason that if these groups are struggling to find out about applications, then most ordinary members of the public are unlikely to know. More needs to be included in the policy about informing the public as was included in our first feedback on the policy requesting that SCC contact all schools, religious establishments, residential properties etc within a mile of the premises to make them aware of the application and consultation process. It was also requested that the process of SCC sending out a mailing list each week was included in	No Comply with legislative requirements.

Overview of Stage Two Comments

				<p>the policy so there was a more robust consultation process described within the policy.</p>	
7	Lizzie Ellen	Paul Blomfield MP	1	Pleased Licensing have made amendments to policy after first round of consultation.	No
			2	Re-affirms concerns that paragraph in introduction is still a contradiction. Refers to Leeds CC policy which explicitly states that SEVs does not further equality and outlines negative effect of SEVs. Asks for this to be mirrored in SCCs policy.	Yes Paragraph reconsidered and removed.
			3	Happy that there has been more clarity inserted regarding the explanation about SCCs concerns if nil cap was to be imposed, but is concerned there is no evidence to back up SCCs concerns.	No Research by Colosi (2013) suggests that there is a need for careful regulation, and "where work in lap-dancing clubs is limited, women may seek work in more unregulated, high-risk, erotic dance environments" (p.10)
11				Applicants - The criteria for the applicant needs to be more specific, what would constitute unsuitability, and how will the committee ensure that they are satisfied with their suitability, otherwise there will be a simple statement that they are satisfied without needing any evidence to back that up. We saw that with the Villa Mercedes license application in 2016 that if members of the public had not carried out the research in to the applicant and his suitability SCC would not have known about it because they had not carried out enough research of their own.	No SCC satisfied that discretionary grounds a and b are appropriately covered at page 11 of the policy. Villa Mercedes application was withdrawn by applicant.
12				Number of establishments needs to be thought through rather than simply reflecting the current number. The policy as it stands is merely proof that SCC has put absolutely no consideration into what their stance is nor what the consequences or issues are surrounding having these establishments in the city. If the policy is to have an appropriate number which is above nil for any of the establishments then this number should reduce if and when establishments close.	No Further consultation led to removal of limits.
13				Also expect all the items included in our first feedback on the first draft of this policy which have not been taken into account when producing this second draft to also be actioned.	All comments have been considered.

Overview of Stage Two Comments

				<p>4 Asks that if SCC plan not to have a nil cap, is it a possibility to state they will reduce number of SEVs permitted as licences fall away in line with suggestion for Sex Shops in Attercliffe area. See Manchester's policy.</p> <p>5 Part 14 – Location – Urges for 'Cultural Hub' to be put back in policy with expansion to include cultural leisure facilities such as cinemas, libraries, theatres etc. Also, that student accommodation is included as per previous submission.</p> <p>6 Requests that inappropriate locations are clearly outlined within policy in line with suggestion made in Home Office Guidance for "reference to a defined locality".</p> <p>7 Part 17 – Concerns over word 'repetitious' in terms of not giving weight to these types of objections. Feels inhibits members of the community to voice their concerns if they have them year after year, if matters have not been resolved. No policy should seek to exclude members of the public from commenting or being actively involved in having their say over the licensing of a type of venue.</p>	<p>No This policy does not specify any limit on sex establishments.</p> <p>Yes Cultural Hub added to location policy.</p> <p>No Location restrictions included on page 12.</p> <p>Yes Removed.</p>
				<p>1 Refers to initial submission in stage one, and wishes to reinforce their comments to be active in this stage.</p> <p>2 Urges SCC to respond to evidence, which shows the harmful effects of SEVs.</p> <p>3 FOI included requesting all responses from stage one of consultation, including what has and has not been considered for changes.</p> <p>4 Refers to use of 'moral' in into and Part 17, and asks for definition and also asks why it is written in quotes marks.</p> <p>5 Refers to addition of words referencing men and women in paragraph 9 and asks how SCC plan to avoid exploitation of male customers, and asks if SCC's concerns on males is regarding exploitation of drunk customers.</p> <p>6 Asks for evidence to be produced to back up our claim that nil cap would lead to unregulated premises, and asks if we have consulted with other authorities who have adopted a nil cap about this. If not, why not?</p>	<p>All comments from first stage of consultation have been considered.</p> <p>No SCC has found no evidence of this link in Sheffield nor have they been provided with such.</p> <p>No FOI received and answered.</p> <p>No Moral has its normal meaning.</p> <p>No Previous consultation pointed out, rightly, that it may not only be females working in sex establishments.</p> <p>No Research by Colosi (2013) suggests that there is a need for careful regulation, and "<i>where work in lap-dancing clubs is limited, high-risk, women may seek work in more unregulated, high-risk, erotic dance environments</i>" (p.10) Additionally, (Colosi, 2013) states that "<i>it is contended that limiting SEV's will benefit gender equality by alleviating the objectification of women (Object, 2009), this view is far too simplistic. In the</i></p>

Overview of Stage Two Comments

			<p><i>long term, the closure of lap-dancing clubs will result in the unemployment of women". (p.9)</i></p> <p>Furthermore, (Colosi, 2013) states "this risks pushing the stripping industry underground, with more women opting to work in unregulated environments as erotic dancers, where the physical dangers can be considerable (see Colosi, 2010b). (p.9)</p>
7	Asks how the EIA has been compiled, when it will be completed and by who?	No	EIA completed by the Licensing Service and signed off by equality strategic lead. Will form part of report submitted to Committee.
8	Asks how SCC intend on supporting and encouraging diversity of women working within sex establishments when performers are all female and subject to different working terms and conditions to all other staff?	No	Licensing Service has no bearing on employment terms and conditions of workers in such venues. Legislation, policy and conditions will be enforced.
9	Draws attention to Government response to dress code petition which concluded that dress codes such as women having to wear high heels for extended periods of time is damaging to health and wellbeing.	No	Note that petition for work dress code law rejected by government. Licensing has no bearing on dress code for those working in licensed premises.
10	Asks how SCC is planning to achieve added objective of Promoting equalities and safeguard individuals.	No	Legislation, policy and conditions will be enforced. Policy expects licence holder to ensure all members of management and staff attend safeguarding training.
11	Asks why 'Burlesque' has been removed from SEV definition?	No	Home Office guidance does not include burlesque as relevant entertainment under a Sexual Entertainment Venue licence - term removed.
12	Asks why sentence in Part 7 – Equalities, referring to impact on equality groups being most challenging to quantify, has been removed?	No	Sentence difficult to understand - removed.
13	Asks that public notices are made clearly visible from the road, and also displayed at a height which does discriminate against disabled or small people	No	Legislation states: "Where the application is in respect of premises, notice of it shall in addition be displayed for 21 days beginning with the date of the application on or near the premises and in a place where the notice can conveniently be read by the public".
14	Requests that all SEV applications (whether being a grant or renewal), that all parties who have previously made	No	Comply with legislative requirements.

Overview of Stage Two Comments

			representations are notified.	
			15 Requests a detailed rationale of why Cultural Hub has been omitted from location limitations when many other authorities have highlighted these areas to be inappropriate?	Yes Cultural Hub reinstated
			16 Strongly urges SCC to remove 'Repetitious' objections from policy, referencing Philip Kolvin detailing that renewal should not be a rubber stamping exercise, and a fresh consideration being applied each year.	Yes Removed.
			17 States SCC are being unlawful when stating that no LSC will take place if no objections have been submitted, and that licences will be granted under delegated powers.	No Legislative procedure.
			18 Asks for clarification on whether people are permitted to lobby their local councillor as suggested in Part 27, if their local councillor is on the Licensing Subcommittee?	If the local Councillor is a member of the Committee and wishes to deal with the request, they would be precluded from sitting on any Committee that dealt with that specific subject/premises and would have to declare an interest.
			19 Requests that it is included in policy, that information regarding details of organisations which support women affected by sexual violence, domestic abuse, alcohol services and service who support women who wish to exit the sex industry are displayed in premises in addition to literature being available.	No No evidence that this is necessary.
			20 Astonished that SCC have referenced outdated legislation by referring to Disability Discrimination Act 1995 instead of Equality Act 2010 in policy draft 1.0.	Yes Information updated
			21 Further requests that SCC adopts a nil cap.	No This policy does not specify any limit on sex establishments.
9	Loveday Herridge		1 Intro, Paragraphs 9 & 10, states that SCC shouldn't express policy on our feelings, using word 'feel' and that it should be based on fact.	Yes Removed.
			2 Asks for evidence of assertion of industry becoming unregulated as policy is being based on this.	No Research by Colosi (2013) suggests that there is a need for careful regulation, and " <i>where work in lap-dancing clubs is limited, women may seek work in more unregulated, high-risk, erotic dance environments</i> " (p.10)
			3 Asks why Attercliffe has a limit of 2 when all other Wards have 1.	Yes This policy does not specify any limit on sex establishments.

Overview of Stage Two Comments

			4	Why is word moral in inverted commas in Part 17? Can a meaning for this word be provided?	Yes Inverted commas removed. Moral has its normal meaning.
			5	Why should objections not be made on moral grounds? All sorts of values are based on morals.	No Home Office Guidance and case law (R v Newcastle upon Tyne City Council ex parte The Christian Institute [2001] B.L.G.R. 165)
			6	Needs clarification of meaning of the word 'repetitious'.	Yes Removed. See Respondent 7.
10	Alison Boydell		1	Supports Zero Option submission.	Yes This policy does not specify any limit on sex establishments.
11	Citizen Space Respondent		1	Doesn't understand the rationale behind the limits.	Yes Location restrictions included on page 12.
12	Citizen Space Respondent		1	Sex establishments should be discreetly located and low profile, away from main roads and thoroughfares used by families with children, school age young people and vulnerable groups.	No This policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits on a case-by-case basis.
13	Citizen Space Respondent		1	Was considering opening a small-scale venue that would cater for a different set of clientele to the ones currently available. This would probably not be possible under this limit.	Yes This policy does not specify any limit on sex establishments.
14	Citizen Space Respondent		1	SCC doesn't limit the amount of coffee shops or the amount of D.I.Y stores, so why should this be any different? If the business is sustainable then they should be allowed to open. The reasons stated are weak, there is no evidence that sex entertainment venues cause more crime Ghana standard venues and children do not go into the venues so it has zero effect on them.	Yes This policy does not specify any limit on sex establishments.
15	Citizen Space Respondent		1	A statement is given of where amendments have been made. Nowhere are we told WHAT those amendments actually are.	No Document provided a list of amendments.
16	Citizen Space Respondent		1	Believes in fair trade, each business judged on its merits and it will succeed or fail based on demand. Feels when you limit numbers of venues you limit the freedom of choice both of the consumer and more importantly of the dancers. With just two venues allowed, any falling out between dancers and a club will punish the dancers as they have no choices and are therefore subject to harsher terms in reality than what is published. Fear of competition is what keeps the venues fair and the 2 club limit will make the issue much worse.	Yes This policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits on a case-by-case basis.

Overview of Stage Two Comments

			2	Disagrees with the constant referral to children needing protecting when the clubs will operate in the night time economy or are we expecting children on the streets at 11pm? Management of the advertising of the clubs and the use of fair signage should be enough to protect children. Very much a scaremongering tactic using the natural instinct to protect children as a method of blocking SEVs. When school open at midnight then you might have issues but this is very lazy thinking otherwise.	No Policy also relates to sex shops that are open during the day. This policy does not specify any limit on sex establishments. Each application will be dealt with on its own merits on a case-by-case basis.
17	Citizen Space Respondent		1	Feels policy is authoritarian, restrictive and unprogressive. Feels that if you don't like these establishments then you shouldn't go in them. Why not burn books or ban specific ethnic groups from Sheffield instead?	No This policy does not specify any limit on sex establishments.
			2	Feels the whole policy is absurd. Get with the times.	No
18	Citizen Space Respondent		1	States there is no explanation of why members of the council believe they can attempt to control the sex lives of its residents, as well as giving no explanation on how they will act to protect existing adult industries workers when their trade is inevitably pushed into illegal and unregulated underground clubs. Feels sex is not something that should have any involvement from government or law enforcement, and that citizens should be free to explore their own sexuality in a safe environment. By all means have regulations on where these premises will be but do not feel that you can limit or remove access to them. Limitation of sexual freedom always leads to further oppression of the LGBTQA+ community, along with the sex industry professionals who need employment and health and safety legislation in place to keep them safe. Banning anything never removes the problem, it just moves it underground. Feels there is a complete lack of research or logical long term planning with policy.	No
19	Citizen Space Respondent		1	Swingers clubs do not fall under the same category as a strip club. One is simply a venue for like-minded people to congregate and the other provides entertainment. Asks to stop being so prudish. As long as venues are discreet, no one cares what is going on inside!	No
20	Citizen Space Respondent		1	Posing a limit like this puts sex industry workers in more danger.	No This policy does not specify any limit on sex establishments.

Overview of Stage Two Comments

			2	The limiting of sex shops implies that it is something that is wrong to attend. This is also harmful and limiting on sexual freedom.	No This policy does not specify any limit on sex establishments.
			3	I do not believe the limits put in place are safe or appropriate.	No This policy does not specify any limit on sex establishments.
21	Citizen Space Respondent		1	Feels the wording of policy seems to be intentionally more complicated than it needs to be.	Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.
			2	As long as the venue/shop is working to all the relevant rules, I do not really see the need to impose such strict number limits.	No This policy does not specify any limit on sex establishments.
22	Citizen Space Respondent		1	Such establishments provide a safe environment for consenting adults to gather. It also makes the nature of sexual intercourse a taboo subject when this isn't the case	No
			1	Feels the policy is written in a way that some, if not most of the public would find hard to follow.	Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.
			2	What about swingers clubs and bdsm/fetish venues?	No Legislation requirements explained in policy.
			3	Agrees with imposing a limit on the number of establishments, but not to the limit suggested by this policy draft.	No This policy does not specify any limit on sex establishments.
24	Citizen Space Respondent		1	Feels policy is overly wordy and legalistic and in some places possibly contradictory.	Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.
			2	Didn't find the description of sex establishments particularly clear - they seemed to be lax enough that it would be possible to pull a lot of establishments into the blanket descriptions.	No Legal definitions provided in policy.
			3	Feels SCC are limiting establishments to 'n' per particular area then in other place limiting the areas when an establishment can be placed further artificially restricting the numbers.	No This policy does not specify any limit on sex establishments.

Overview of Stage Two Comments

25	Citizen Space Respondent		4	<p>The current council approach is to set up particular quarters for different categories of commerce this setup effectively blocks that from happening.</p> <p>5 Setting a limit implies that establishments are inherently bad and must be limited.</p> <p>6 It will make no difference to the truly problematic establishments, instead making life difficult for people who want to trade in a legal and responsible way.</p> <p>7 Many of the rules seem excessively draconian or poorly worded e.g., "There shall be no penetration of a performer's genitals or anus by any means." This would mean that a famous aerialist performance artist who performs a light show piece using a laser butt plug could happily perform in an art gallery but could be banned from performing anywhere with a licence because her anus has been penetrated.</p>	<p>No This policy does not specify any limit on sex establishments.</p> <p>No This policy does not specify any limit on sex establishments.</p> <p>No</p> <p>No Referring to condition wording – now separate document.</p>
26	Citizen Space Respondent		1	<p>1 While I do agree that we should not have too many establishments of this type and thus a limit is needed, I do not think that we are even close to having too many sex establishments.</p> <p>2 Part 8 - Personally I do not think that there are too many Sex Establishments in Sheffield, and reducing or limiting the number by reducing the number of licenses only serves to damage communities that I and many others are a part of. It is my opinion that any establishments already holding licenses should be able to renew them without having to fight new legislation and new establishments should have a chance of opening. Let the success of these establishments determine how many are feasible within the city. At the moment, there is clearly no issue with a large number of sex establishments in Sheffield so I don't see the point in implementing further restrictions or bureaucracy, it seems like a direct attack on the sex industry.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p> <p>Yes This policy does not specify any limit on sex establishments.</p>
			1	<p>There's no argumentation presented behind the (very low) amount of establishments permitted as detailed in the numbers and Limits section.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p>
			2	<p>As long as the establishment remains legal, there is no reason to not grant it a licence just to 'impose a limit'. Competition leads to higher standards, and limiting number of such establishments would only lead to the formation of illegal, underground ones, in which the working condition of the employees cannot be monitored.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p>

Overview of Stage Two Comments

27	Citizen Space Respondent		3	<p>Part 8 - Numbers and Limits</p> <p>Applying further pressure on the sex establishment industry is unnecessary and no good reason has been provided for doing so, but the objective certainly seems to be to ostracize and eventually shut down venues and services that serve sex-centric communities.</p> <p>This is an attempt to censor perfectly legal activities, which Sheffield's voters have a right to partake in. The ridiculously low establishment limits should be increased to allow for variety of choice. Competition will increase quality and reduce numbers all by itself.</p>	<p>Yes</p> <p>This policy does not specify any limit on sex establishments.</p>
28	Citizen Space Respondent		1	<p>Whilst easy to read for me, the wording is not accessible to anyone who doesn't speak English as their first language for example.</p>	<p>Yes</p> <p>Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.</p>
29	Citizen Space Respondent		1	<p>2 Feels SCC *is* moralising here, despite its claim not to.</p> <p>3 I would rather the authority devoted time and energy into say, reducing the amount of off licences granted on one single road than telling adults they are being exploited for working in the sex industry.</p> <p>4 The binary language needs work. There are more than women and men working in the industry, and this needs to be reflected. I suggest you use 'people'.</p> <p>5 Thinks SCC should admit it is moralising regarding sex workers.</p> <p>1 Feels the number of sex shops has been set at one per ward, there Re numerous wards. Therefore, there could potentially be numerous sex shops, the majority of whom's clients would purchase from the internet and not from a bricks and mortar establishment.</p> <p>The number of venues has been set at 2 for the whole of the Sheffield borough. Given the size of the Sheffield borough, this is low. Clients at venues attend to engage in activities, they do not take place virtually. This number should be increased.</p> <p>1 The terms of sexual establishment is too vague and there are many establishments that are not strip clubs and do not objectify women or men, some are part of a community and provide a community feeling. I also feel limiting sex shops takes away people's choice and could damage the economy by restricting legitimate businesses for no particular reason.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p> <p>This policy does not specify any limit on sex establishments.</p>
29	Citizen Space Respondent		1		<p>Yes</p> <p>This policy does not specify any limit on sex establishments. Definitions of establishments taken from legislation and guidance material.</p>

Overview of Stage Two Comments

30	Citizen Space Respondent		1	A limit on any specific type of establishment is reasonable to maintain a diverse balance of facilities, but the limits set here are clearly disproportionately low compared to the numbers of other type of establishments - for example restaurants.	<p>Yes This policy does not specify any limit on sex establishments.</p>
			2	The limits on the number of establishments, and the implication that these establishments somehow adversely affect the safeguarding of children or vulnerable people. There is no evidence included for this and I believe that increasing the number of such establishments would in fact create more safeguards by enabling more people to work in the sex industry in a safe, legal and controlled manner.	<p>Yes This policy does not specify any limit on sex establishments.</p>
31	Citizen Space Respondent		1	Feels a limit is not needed, but common sense should be applied.	<p>Yes This policy does not specify any limit on sex establishments.</p>
32	Citizen Space Respondent		1	There is a demand for these premises. People have the right to express themselves in a venue they find safe. Closing these venues promotes illegal activities	<p>Yes This policy does not specify any limit on sex establishments.</p>
33	Citizen Space Respondent		1	Feels some sentences seem to be there for the sake of it and don't really make much sense to the proposition.	<p>Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.</p>
			2	Feels it doesn't explain why there needs to be a restriction on the amount of sex establishments and especially why no sex cinemas.	<p>Yes This policy does not specify any limit on sex establishments. Sheffield currently does not and has not in the past, licensed sex cinemas. It is unlikely we would receive an application but if we did each application will be dealt with on its own merits on a case-by-case basis.</p>
34	Citizen Space Respondent		3	Feels it doesn't allow for growth of business if they're successful and want to open more. It limits people's choice and the right to engage in a legally recognised activity.	<p>Yes This policy does not specify any limit on sex establishments.</p>
			1	There should be no limits on the freedom of people to enjoy themselves as they see fit. To place a limit is to control those freedoms, an action that would not be tolerated if it were used against places of worship. Let supply and demand dictate fairly how many venues are required.	<p>Yes This policy does not specify any limit on sex establishments.</p>
35	Citizen Space Respondent		1	We should be promoting a more sexualised society and not family values. People with children should keep their kids home under lock and key – it's not the councils place to	<p>Yes This policy does not specify any limit on sex establishments.</p>

Overview of Stage Two Comments

				<p>pander to and favour that section of the population while others suffer.</p> <p>The existing sex establishments in Sheffield are an asset and a credit to the city. They bring in tourism and help the economy overall through the many people that come for the sex establishments and eat in restaurants, stay in hotels, etc. during their visit.</p> <p>Sheffield City Councils position should be to promote, nurture and encourage its existing sex venues and encourage the opening of more.</p>	
36	Citizen Space Respondent	1	<p>Shutting Down La Chambre or any other place seems stupid. I go to La Chambre, not to have sex but I have friends there and it is completely safe and they always go the extra mile to make sure everyone is safe.</p> <p>Asks not to close down our safe places otherwise unsafe meetings will happen and rape with increase.</p>	<p>No Policy does not refer to shutting any premises down.</p>	
37	Citizen Space Respondent	1	<p>As long as its not near schools and minors can't be allowed entry, why put a limit on them there safe environment out of view of the public.</p>	<p>Yes Location restrictions included on page 12. Under 18's are not permitted.</p>	
38	Citizen Space Respondent	1	<p>Healthy competition is a good thing. As an adult, if I choose to boycott an establishment that is my choice and not for someone else to do on my behalf.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p>	
		2	<p>Disagrees with the limitation on number of venues.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p>	
39	Citizen Space Respondent	1	<p>Having visited two of these types of establishments in Sheffield, and known a number of staff working there, I don't see it as a problem. 99% of people attending are much more well behaved (and less drunk) than the majority of revellers on West Street for example. These places provide safe adult entertainment for workers and customers.</p> <p>They are bring revenue into the city via stag groups, social events, etc.</p> <p>I've never heard of any of these establishments causing harm to children and that's not just Sheffield, that's throughout the UK.</p> <p>If SCC wants to protect its citizens of all ages, then it's the betting shops you should maybe focus your attention too.</p> <p>There's more than enough in the city as is and just walking past many of them you can clearly witness on street drinking, drug taking, drug dealing, antisocial behaviour and that's without taking into account the problems gambling addiction can cause to individuals. I've seen school children have to</p>	<p>No</p>	

Overview of Stage Two Comments

40	Citizen Space Respondent	1	<p>walk past these places daily, that's a 100 times more damaging to them than a strip club. There are so many areas where the city centre could be improved; this policy is certainly not one of them.</p> <p>Sexual Entertainment Venues provide people a safe space to go and work. All the venues I have visited inside and outside of Sheffield have a zero tolerance policy on harassment towards all employees which as a woman makes me feel safer. It makes sense to impose restrictions on where they can and cannot be located but to limit the number is a hindrance not a help.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p>
41	Citizen Space Respondent	2	<p>The assumption that people involved in sex workers are being exploited. This is very rarely the case - they are consenting adults. Yes there should be regulation in place to safeguard them but the policy document doesn't address this, instead it focuses on restricting numbers of venues solely.</p>	<p>Yes This policy does not specify any limit on sex establishments. Policy expects licence holder to ensure all members of management and staff attend safeguarding training.</p>
42	Citizen Space Respondent	1	<p>Feels policy is a bit vague in places/not fully clear.</p>	<p>Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.</p>
		2	<p>Asks for more specific detail of what is to be restricted.</p>	<p>No</p>
		3	<p>As each case/establishment should be dealt on their own, on the face of it any such establishment seems to be treated with doubt.</p>	<p>No Each application will be dealt with on its own merits on a case-by-case basis.</p>
42	Citizen Space Respondent	1	<p>If the council does not take a 'moral' stand why is it necessary for it to stipulate a limit if the due process of considerations are undertaken. By imposing a limit, and in reality it is not a limit but a sanction on a sector of a legitimate business service it is in fact morally standing in judgement which is what most of the officers at the council do - I have worked beside them and had the debate with them. On one hand the council is saying it is a legitimate business and on the other than saying that it's not having any. That is taking the moral high ground that is judgmental and can be challenged.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p>

Overview of Stage Two Comments

43	Citizen Space Respondent		<p>2 The policy should reflect that businesses that comply with the law will be accepted without number restriction if the business passes the due process of a fair and consistent policy which doesn't discriminate or based on officer / council prejudice that simply doesn't want that kind of trade in the city.</p> <p>3 The council really should advocate a centre / area where permitted businesses can locate to.</p> <p>1 Requests some words on how the council intends to protect the rights and wellbeing of, for example, young and potentially vulnerable people of marginalised sexualities who may become customers of SEVs. (If, and only if, The Council's policy allows SEVs catering to minority/marginalised/demonised/less-profitable/unprofitable sexualities to exist.)</p> <p>2 Even an acknowledgement that (potential) customers of an SEV could themselves be vulnerable and/or at risk of being excluded from any kind of sex life, or could be pushed into dangerous in-person meetings after inadequate on-line socialising, if not safe, semi-public venue exists for meeting in a "club-type" event".</p> <p>3 Agrees that some limitation may be beneficial, but I violently disagree with the ignorant assumption that all possible SEVs are the same. I could agree to reasoned, non-arbitrary limitations on SEVs categorised by the group(s) of people that they cater for. For example, if the limit for straight strip/lap-dance type establishments has been reached, this should have no impact on the possibility of grant of a license for a venue catering to gay male clientele, gay female clientele, straight "swingers", transvestites, or straight (fetishist of some kind) clientele. Setting one, low limit, e.g. 2 for the whole city, and making this for all types of SEV, pretty much guarantees that the city will have two SEVs catering to straight males wanting strip-tease/lap dancing and/or straight swingers clubs - as these two subtypes are by far the most in-demand/most profitable. All less-mainstream sexualities will then be denied SEV licences, and their "scenes" will either continue underground or will have no venue at all for "club-type" events, resulting in new entrants to the scene likely meeting on-line, then meeting in real-life in a private situation, placing themselves at high risk of sexual crime, violence, blackmail and/or exploitation.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes This policy does not specify any limit on sex establishments.</p>
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Overview of Stage Two Comments

44	Citizen Space Respondent	1 2 3	<p>1 Feels the policy is very jargonistic.</p> <p>2 By imposing arbitrary limitations on the sex industry, by vilifying it, the council will push the industry underground and put more people (sex workers) in danger. What we need is openness and to be mature about the fact that this industry does exist. Only then, we can impose standards upon sex establishments that protect the participants (S.T.I checks and proper security measures). Reducing the number of venues is nothing but a moralising tactic that threatens to endanger participants.</p> <p>3 The entire policy is based on the misleading opinion that sex is 'dirty' and to enjoy it is 'unnatural'. It's a stupid policy that endangers the vulnerable.</p>	<p>Yes Content cut down to make document clearer. Effort made to ensure policy is easy to read. Legislative language is sometimes necessary but is kept to a minimum.</p> <p>Yes This policy does not specify any limit on sex establishments. Some comments may refer to saunas - not in scope of policy.</p> <p>No</p>
45	Citizen Space Respondent	1 2 3 4 5	<p>1 It is our belief that the limit of one per ward on sex shops is arbitrary and does nothing for the reasonable licensing goal of clustering sex establishments away from residential areas and schools.</p> <p>2 The proposed limit on the number of SEVs risks a breach of the equalities duty where existing establishments cater only to a heterosexual male audience. Provision for women and LGBT+ people must not be blocked in this way, whether or not it is currently economically viable.</p> <p>3 Above all else, the safety of workers in the sexual entertainment industry should be an explicit policy objective and take priority and that by limiting the number of licenses granted for SEVs in Sheffield, this risks pushing these legal activities underground and away from regulation.</p> <p>4 We believe that this proposed policy is more restrictive than is necessary to meet proper licensing goals and may be considered to be taking a moralistic position in defiance of the legislation, and therefore be subject to legal challenge.</p> <p>5 The licensing of a swingers club as an SEV may be technically correct but is not what the legislation intended, and there is no reason why any swingers clubs should count against a quota for SEVs if licensing policy is not required to so count them.</p>	<p>Yes This policy does not specify any limit on sex establishments.</p> <p>Yes This policy does not specify any limit on sex establishments.</p> <p>Yes This policy does not specify any limit on sex establishments.</p> <p>No</p> <p>No Licensed premises licensed in accordance with legislation. This policy does not specify any limit on sex establishments.</p>

Overview of Stage Two Comments

			6	<p>A further double standard is evident in the exception offered to establishments such as Ann Summers, privileging mainstream sexual tastes over minorities. If Ann Summers, or, for that matter, the underwear departments of Debenhams or Asda are not to be regulated, it is difficult to see how any kind of clothing/underwear/nightwear can be reasonably and fairly regulated, even if it is made of leather/artificial leather/latex etc.</p>	No
46	Citizen Space Respondent		1	<p>In the conditions section - Appendix A, dealing with Protection of those engaged... conditions 5 and 6 contradict each other and I would suggest condition 6 be deleted.</p>	Conditions removed from policy – separate document.
			2	<p>In appendix A - management standards, new requirements for training of staff and management in relation to safeguarding. Cooperation and involvement with the authority is welcomed and the following should not be seen as reluctance to be involved but as a request for clarification- No timetable or contact details are set out for the compliance with this condition, which is reliant on the local authority. There may be very good reasons for non-attendance and no reference is made to what will happen in those circumstances. It is not clear how often the training will be provided and the situation in relation to staff who are new, induction, or staff who have been there for longer than 1 year - refresher.</p> <p>Is the requirement under 3 satisfied by attendance at a course provided under 1?</p>	Conditions removed from policy – separate document.
47	Michelle Turner		1	Fully supports Zero Option's submission.	See Respondent 7.

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APPENDIX 'C'

Performers Questionnaire Responses

		1	2	3	4	5
1	Age	25	20	20	25	25
2	Age started dancing	25	20	19	24	19
3	Relationship status	Single	Single	Relationship	Single	Single
4	Nationality	British	Lithuanian	British	English	British
5	Education and Qualifications	College	University			A Levels
6	Other work and education commitments	Bar Work & Veterinary Assistant	Waitress	Hairdresser		Nursing
7	Why did you start work at a sexual entertainment venue	Experience and money	Love dancing	Extra Money	Money	Pay for University
8	Length of time danced	3 months	2 Weeks	18 months	1 Year	2 Years
9	Number of clubs worked in	1	1	2	1	2
10	How many shifts per week	3	6	4	3	2
11	How would you rate job satisfaction	7	8	9	10	10
12	Do you feel happy at work	10	8	9	10	10
13	Do you feel respected in the workplace	10	7	7	10	10
14	Do you feel safe at work	10	10	10	10	10
15	What are your positive feelings about work	Self confidence increased. Management easy to talk to. Helped to fund veterinary course	Dancers friendly and supportive. Management and Bouncers take good care. Flexible hours.	Love working here	Good money. Work when want	Pay way through university. Work nights. Money.
16	What are your negative feelings about work	Quiet times earn less money	Some customers nasty, require more than dancing. £20 licence fee excessive on quiet nights.	Hate night shifts	None	None
17	Do you feel safe in your job	Yes	Yes	Yes	Yes	Yes
18	Are you subject to management fines	No	No	No	Yes	No

		6	7	8	9	10
1	Age	28	26	32	33	21
2	Age started dancing	22	21	29	21	18
3	Relationship status	Married	Single	Single	Single	Relationship
4	Nationality	UK	British	Russian	British	British
5	Education and Qualifications	A levels	GCSE's	Designer	BA Hons	Diploma
6	Other work and education commitments	None		Designer		
7	Why did you start work at a sexual entertainment venue	Freedom	Money. Independence	Pay for study and living	Good Salary	Support myself and son
8	Length of time danced	6 Years	6 Years		13 Years	9 Years
9	Number of clubs worked in	3	3	1	8	1
10	How many shifts per week	6	3	2	4	5
11	How would you rate job satisfaction	10	10	8	10	10
12	Do you feel happy at work	10	10	8	10	10
13	Do you feel respected in the workplace	10	10	7	10	10
14	Do you feel safe at work	10	10	10	10	10
15	What are your positive feelings about work	All aspects. Love job.	Money - provide for children as a single parent.	Great girls and professional management	Good Environment. Great staff	Enjoy job. Colleagues fantastic. Perfect job.
16	What are your negative feelings about work	None	None	None	None	None
17	Do you feel safe in your job	Yes	Yes	Yes	Yes	Yes
18	Are you subject to management fines	No	No	No	No	No

		11	12	13	14	15
1	Age	25	24	39	22	21
2	Age started dancing	18	18	29	21	21
3	Relationship status	Single	Single	Single	Relationship	Single
4	Nationality	British	British	British	British	British
5	Education and Qualifications	Diploma	A levels	College	Level 3	Diploma
6	Other work and education commitments	Studying to be a Personal Trainer	Corporate sales management	Key Worker	Taco Bell	Trainee personal trainer
7	Why did you start work at a sexual entertainment venue	Buy breast augmentation	Extra money. Confidence.	Money	Money for new business equipment	Good money. Better than claiming benefits
8	Length of time danced	7 Years	6 Years	7 Years	6 months	7 months
9	Number of clubs worked in	6	8	4	1	1
10	How many shifts per week	3	2	6	3	4
11	How would you rate job satisfaction	8	10	8	8	10
12	Do you feel happy at work	7	10	10	9	10
13	Do you feel respected in the workplace	7	10	10		10
14	Do you feel safe at work	8	10	10	9	10
15	What are your positive feelings about work	Good Money. Work when want. Good management.	Money. Confidence.	Job	Lovely girls.	Everything
16	What are your negative feelings about work	Quiet Nights - less money	Long Hours. 2 jobs.	None	Not always busy	Zilch
17	Do you feel safe in your job	Yes	Yes	Yes	Yes	Yes
18	Are you subject to management fines	No	No	No	No	No

		16	17	18	19	20
1	Age	27	27	28	26	26
2	Age started dancing	26	22	25	25	26
3	Relationship status	Single	Single	Relationship	Relationship	Single
4	Nationality	British	British	Romanian	British	British
5	Education and Qualifications	MA - Creative Writing. MA - Social Work	GCSE's	GCSE's	Masters in Engineering. Studying for Doctorate.	Diploma - Business Admin
6	Other work and education commitments		Day job	Trainee Waiter	General manager retail. Research/Study	Carer
7	Why did you start work at a sexual entertainment venue	Fund studies	Good at job		Used to model. Enjoy dancing. Extra money to pay student loans. Savings.	
8	Length of time danced	7 months	5 Years		1 Year	6 months
9	Number of clubs worked in	2	3		2	3
10	How many shifts per week	2	2	4	3	2
11	How would you rate job satisfaction	9	10		8	8
12	Do you feel happy at work	9	10		8	10
13	Do you feel respected in the workplace	9	10		9	10
14	Do you feel safe at work	10	10		10	10
15	What are your positive feelings about work	Positive about body. Enjoy dancing. Like meeting people.	Good job. Good girls.		Feel in control, comfortable and empowered. Great for fitness. Meet people. Make friends (dancers). Boosted confidence.	Freedom in the day. Work when choose.
16	What are your negative feelings about work	Can be hard work.		None	Sometimes tired and overworked. Sometimes work and not make money. Feel upset/depressed.	None
17	Do you feel safe in your job	Yes	Yes	Yes	Yes	Yes
18	Are you subject to management fines	No	No	No	No	No

		21	22	23	24	25	Average of Results
1	Age	23	20	23	30	32	26
2	Age started dancing	21	19	23	28	30	23
3	Relationship status	Single	Single	Single	Married	Single	
4	Nationality	British	British	British	British	British	
5	Education and Qualifications	Degree	Motorcycle Maintenance Certificate	A Levels	Diploma	NVQ Beauty	
6	Other work and education commitments	Work in kitchen	L3 Music Technology Diploma	Hospitality. Self employed photographer	Make Up		
7	Why did you start work at a sexual entertainment venue	Fun	Money	Freedom of hours. Extra cash.	Pay for course. Support son.		
8	Length of time danced	2 Years	10 months	2 weeks	2 Years	2 Years	
9	Number of clubs worked in	5	1	1	1	1	3
10	How many shifts per week	2	2	3	2	5	3
11	How would you rate job satisfaction	10	7	9	10	10	9
12	Do you feel happy at work	10	7	9	10	10	9
13	Do you feel respected in the workplace	10	6	9	10	10	9
14	Do you feel safe at work	10	9	9	10	10	10
15	What are your positive feelings about work	Fun environment	Money. Friends. Stage shows.	Fun. Safety is looked after.	Fits around son	Brilliant	
16	What are your negative feelings about work	Not making money	Not earning money.	None	None	None	
17	Do you feel safe in your job	Yes	Yes	Yes	Yes	Yes	
18	Are you subject to management fines	No	No	No	No	No	

APPENDIX 'D'

Equality Impact Assessment (EIA)

Print this page

Equality Impact Assessment

Switch to Print View

Introductory Information

Reference number

70

Proposal type

Budget Project

Project name

Sex Establishment Policy - Incorporating Sexual Entertainment Venues, Sex Shops and Sex Cinemas

Decision Type

Type of decision

- Cabinet
- Cabinet Committee (e.g. Cabinet Highways Committee)
- Leader
- Individual Cabinet Member
- Executive Director/Director
- Officer Decisions (Non-Key)
- Council (e.g. Budget and Housing Revenue Account)
- Regulatory Committees (e.g. Licensing Committee)

Lead Cabinet Member

Lodge Bryan (LAB-CLLR)  

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Entered on Q Tier

Yes No

Year(s)

14/15 15/16 16/17 17/18 18/19 19/20 20/21 21/22

EIA date

12/10/2017 

EIA lead

Johnston Annemarie  


Person filling in this EIA form

Bower Claire  

Lead officer

Craig Harper  

Lead Corporate Plan priority

Strong Economy 

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Portfolio, Service and Team

Cross Portfolio

Yes No

Portfolio

Place 

Place service(s)

- Business Strategy and Regulation
- City Growth
- Culture and Environment
- Housing and Neighbourhoods Service
- Major Projects
- Repairs and Maintenance Service
- Transport and Facilities Management

Place team(s)

Licensing

Is the EIA joint with another organisation (eg NHS)?

 No Yes

Brief aim(s) of the proposal and the outcome(s) you want to achieve.

On the 6th April 2010, the Policing and Crime Act 2009 came into force, amending Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. Sexual Entertainment Venues were added as a category of establishment, enabling local authorities to regulate such premises.

The Local Government (Miscellaneous Provisions) Act 1982, as amended, gives local authorities the power to regulate (administer and enforce) sex establishments. In this sense, sex establishments are:

- Sex Cinemas
- Sex Shops
- Sexual Entertainment Venues

To this end, the policy document sets out Sheffield City Council's approach to the licensing of sex establishments, and is an update on the existing policy that dealt solely with sexual entertainment venues, and was first published in 2011. The policy will incorporate all establishments into an holistic document for ease of reference and use.

The City Council does not take a moral stance in adopting this policy. The Council recognises that Parliament has made it lawful to operate sex establishments and that such businesses are a legitimate part of the retail and leisure industries. It is the City Council's role as the Licensing Authority to regulate such premises in accordance with the law.

The City Council is committed to applying the law and policy to promote:

- High management standards at licensed sex establishments;
- Public safety of staff, performers and patrons at sex establishments;
- Safeguarding of staff, performers and patrons at sex establishments; and
- Safeguarding vulnerable persons in the locality of sex establishments.

Applicants wishing to apply to licence a sex establishment are expected to read the policy before making an initial application and to read it in conjunction with the relevant pieces of legislation. The policy document will also be referred to when the Council are making decisions on applications, renewals and other such matters that are relevant.

If you want to enter more information please attach a document in the supporting documentation below.

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Impact

Under the [Public Sector Equality Duty](#) we have to pay due regard to the need to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity
- foster good relations

More information is available on the [Council website](#) including the [Community Knowledge Profiles](#).

Note the EIA should describe impact before any action/mitigation. If there are both negatives and positives, please outline these - positives will be part of any mitigation. The action plan should detail any mitigation.

Overview

Overview (briefly describe how the proposal helps to meet the Public Sector Duty outlined above)

This policy includes a clear and unequivocal commitment to meeting the Public Sector Equality Duty in the exercise of all of the functions under the Act. The policy and the documentation flowing from it are intended to be a key means of facilitating compliance with all of the Council's obligations. Great care has been taken in developing a policy that is fit for purpose in this regard but it is only when it is tested in action that it will be possible to evaluate its effectiveness. This assessment will be kept under regular review, particularly in the early period of implementation, so that any shortcomings identified in the document itself and/or the way it has been implemented can be addressed. See attached document entitled "Additional EIA Information for Sharepoint".

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Impacts

Proposal has an impact on

- Health Age Disability Pregnancy/Maternity Race Religion/Belief Sex
- Sexual Orientation Transgender Carers Voluntary/Community & Faith Sectors Cohesion
- Partners Poverty & Financial Inclusion Armed Forces Other

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Age

Staff

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

A potential negative impact could be realised where a person under the age of 18 is employed or was able to gain work in a self-employed capacity in such an establishment.

Be clear if your service relates to specific age groups, particularly younger or older people. If you wish to enter more information please attach a document in the supporting documentation section below.

Customers

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

Children and Young adults:

A negative impact could be realised whereby operators of such premises allow access to persons who are under the age of 18. This particular concern is central to all sex establishments.

A potential negative impact may also be realised in the close proximity of an establishment to premises such as schools, nurseries and other such places that are used substantially by children under the age of 18 (as stipulated in the policy) and significantly during the operating hours of licensable activities.

Where a licensed premises advertises or exhibits inappropriate materials and/or articles on the premises, in premises windows, on walls or in the immediate surrounding areas, there may be seen to be a negative impact.

Failure to licence such premises or imposing a nil limit may have significant negative impacts on the controls of individuals accessing and working in such premises, specifically those under the age of 18.

Unlicensed and therefore unregulated premises may have a significant negative impact on the welfare of those employed or those who work on a self-employed basis, including those who are under the age of 18.

Be clear if your service relates to specific age groups, particularly younger or older people. If you wish to enter more information please attach a document in the supporting documentation section below.

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Disability**Staff** Yes No**Impact** Positive Neutral Negative**Level** None Low Medium High**Details of impact**

There is a potential negative impact on people with a disability if a licensed premises does not meet standards and make reasonable adjustments to the physical barriers to access throughout the building.

Be clear if your service relates to specific impairments. If you wish to enter more information please attach a document in the supporting documentation section below.

Customers Yes No**Impact** Positive Neutral Negative**Level** None Low Medium High**Details of impact**

There is a potential negative impact on people with a disability if a licensed premises does not meet the standards or make reasonable adjustments to the physical barriers to access the building.

Be clear if your service relates to specific impairments. If you wish to enter more information please attach a document in the supporting documentation section below.

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Race**Staff** Yes No**Impact** Positive Neutral Negative**Level** None Low Medium High**Details of impact**

No perceived issues are apparent in regards to this characteristic and the consultation process did not identify any such issues.

Be clear if your service relates to specific BME communities. If you wish to enter more information please attach a document in the supporting documentation section below.

Customers Yes No**Impact** Positive Neutral Negative**Level** None Low Medium High**Details of impact**

No perceived issues are apparent in regards to this issue and the consultation process did not identify any such issues.

Be clear if your service relates to specific BME communities. If you wish to enter more information please attach a document in the supporting documentation section below.

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SAVE

Religion/Belief

Staff

Yes No

Customers

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

Sex establishments are such that they may offend or are contrary to certain faiths, religions and other such sectors.

The City Council does not take a moral stance in adopting this policy. The Council recognises that Parliament has made it lawful to operate sex establishments and that such businesses are a legitimate part of the retail and leisure industries. It is the City Council's role as the Licensing Authority to regulate such premises in accordance with the law.

Note: This also covers all faith groups and those with no belief. If you wish to enter more information please attach a document in the supporting documentation section below.

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SAVE

Sex

Staff

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

In the past the Licensing Authority have received representations submitted by action groups and interested parties that contend that sexual entertainment venues contribute to the "normalisation of the sexualisation and objectification of women".

The current consultation process has also mirrored many of these concerns, with many of the representations related to this characteristic.

The adoption of a 'Nil Limit Policy' may have significant implications in relation to sexual harassment, exploitation and sexual violence towards women, due to the potential risk that many would continue to work in unlicensed premises that are unregulated.

Working in a regulated environment that is subject to controls, licence conditions and visits from different organisations, including, but not limited to, the Licensing Authority, Police, Health Protection, Trading Standards etc. may have an increased positive impact for staff.

There is no legislative bar or policy objective preventing a sexual entertainment venue being predominantly male in its workforce, or being visited primarily by females, and therefore not seen to be contributing to the "normalisation of the sexualisation and objectification of women" - sexual entertainment venues are open to all sexes.

Note: this includes women and men. If you wish to enter more information please attach a document in the supporting documentation section below.

Customers

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

There is a potential and perceived negative impact on women. In the past the Licensing Authority has received representations submitted by interested parties and individuals, contending that sexual entertainment venues contribute to the "normalisation of the sexualisation and objectification of women".

The Current consultation process has also highlighted similar concerns to those raised in previous objections to the licensing of Sexual Entertainment venues, specifically, these include but are not limited to: objectification of women, gender inequality, that SEV's are part of the sex industry and not retail and leisure, the wish for a nil cap to be introduced, the meaning of moral objections, sexual harassment, and violence against women and girls in Sheffield.

Note: this includes women and men. If you wish to enter more information please attach a document in the supporting documentation section below.

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Sexual Orientation

Staff

Yes No

Customers

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

Whilst the customer demographic for such premises is largely heterosexual male, there is no bar to anyone seeking legal entry to such a licensed premises (dependent on age).

Data gathering on admittance to such premises is not asked for or obtained during the application process or on enforcement visits, as there is no bar to legal entry as a consequence of a persons sexual orientation.

No perceived issues are apparent in regards to this characteristic and the consultation process did not identify any such issues.

For example lesbian, gay or bisexual groups. If you wish to enter more information please attach a document in the supporting documentation section below.

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SAVE

Transgender

Staff

Yes No

Customers

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

Whilst the customer demographic for such premises is largely heterosexual male, there is no bar to anyone seeking legal entry to such a licensed premises.

No perceived issues are apparent in regards to this characteristic and the consultation process did not identify any such issues.

Note: transgender both men and women. If you wish to enter more information please attach a document in the supporting documentation section below.

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Carers

Staff

Yes No

Customers

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

The Licensing Authority is not aware of any issues in regards to this characteristic.

Note: this refers to those who provide regular and substantial unpaid care to a disabled adult or child. If you wish to enter more information please attach a document in the supporting documentation section below.

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Voluntary/Community & Faith Sectors

Staff

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

There is a potential negative impact due to potential close location of a sensitive building/premises e.g. hospitals, mental health or disability centres; substance misuse treatment centres; sexual exploitation services; rape and sexual abuse centres; places of religious worship, including churches, mosques, temples, synagogues and other places of religious worship.

For example: impact on VCF organisations e.g. access to match funding, viability, hours of opening, staffing levels, referrals etc. If you wish to enter more information please attach a document in the supporting documentation section below.

Customers

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

There is a potential negative impact due to potential close location of a sensitive building/premises e.g. hospitals, mental health or disability centres; substance misuse treatment centres; sexual exploitation services; rape and sexual abuse centres; places of religious worship, including churches, mosques, temples, synagogues and other places of religious worship.

For example: impact on VCF organisations e.g. access to match funding, viability, hours of opening, staffing levels, referrals etc. If you wish to enter more information please attach a document in the supporting documentation section below.

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SAVE

Cohesion

Staff

Yes No

Customers

Yes No

Impact

Positive Neutral Negative

Level

None Low Medium High

Details of impact

It may be the belief of some people that sex establishments and/or other entertainment venues contribute towards a decline in societal cohesion.

It may be the belief that of some that sex establishments contribute towards prostitution and/or crime and disorder. However, there is no evidence in Sheffield or any objection from responsible authorities or South Yorkshire Police to support this stance.

Note particular impact on community tensions or getting on well together. If you wish to enter more information please attach a document in the supporting documentation section below.

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SAVE

Cumulative impact

Proposal has a cumulative impact

Yes No

Proposal has geographical impact across Sheffield

Yes No

Local Partnership Area(s) impacted

All Specific

Action Plan and Supporting Evidence

Action plan

Age

In order to address potential negative impacts, the following will be implemented by way of conditions:

- Legislation will be fully adhered to, including in the administration and enforcement of such an establishment as licensed
- Licence conditions state that no persons under the age of 18 shall be employed in the business of an establishment, no matter the purpose or role
- The Licensing Authority will ensure that the policy pays regard to premises that are in close proximity to schools, nurseries and other such establishments that are substantially used by or for children under the age of 18 during the operating hours of such a licensed premises
- A strict age policy shall be in place and challenge 25 operated: any persons appearing to be under the age of 25 shall be required to provide proof of ID in order to gain access to a licensed premises.

Where a licence is granted, access to the premises will be restricted through the Local Government (Miscellaneous Provisions) Act 1982 legislation, in such that mandatory, and where necessary, additional conditions will be imposed in order to control access. It will therefore state that no person under the age of 18 will be granted access to any such premises: this will include all staff, whether on a self-employed or employed basis, and customers.

Where a licence application is received, licensees must first evidence that an age restriction policy is or will be in place at the time of operating, and demonstrate how it will operate. Such policies will be checked periodically during inspection and enforcement visits, as carried out by the relevant authorities.

Where a licensed premises advertises, exhibits or shows materials, that might be deemed inappropriate, on the premises, in premises windows, on walls or in the immediate surrounding areas there may be seen to be a negative impact on young adults and children. The policy will therefore stipulate, by way of licence conditions, that the advertising and exhibiting of such materials and articles will be prohibited.

Mandatory conditions for sex establishments will prohibit all advertising in and around the immediate area of the premises, including the handing out of flyers and advertising material.

The licensing of premises will allow for regulation and the ability to carry out inspections and checks in order to establish that such premises are operating correctly and within the terms of licence conditions. Inspections will be carried out periodically by the Licensing Authority and, where appropriate, jointly with other responsible services such as the Police, Trading Standards and Sheffield Safeguarding Children's Board.

Enforcement and monitoring of licensed premises will be undertaken periodically in order to ensure that licence conditions are being adhered to. All visits, inspections, complaints, and compliments will be logged. Where there is evidence that legislation and conditions are not being adhered to or there are issues of non-compliance, appropriate and measured action will be undertaken.

The Licensing Authority has worked closely with Sheffield Safeguarding Children's Board, who have helped in the writing of the policy. Licence conditions will stipulate that all members of management and staff attend training, provided by Sheffield Safeguarding Children's Board. The training will include awareness of licence conditions, management practices and any relevant legislation to ensure compliance with the same. A written record of all such training shall be maintained at the premises and made available on request to the Police and authorised officers of the Council.

Disability

As part of any application process, the Council's Health Protection Service is consulted. It is part of their remit and responsibilities to ensure the applicant is conforming to the disability duties under the Equality Act 2010.

Although the legal rights of the equality law are not within the scope of the licensing of sex establishments to enforce, the authority will encourage licensees to:

- Use an equality policy to help them check that they have thought about equality in the way they plan, what they do and how they do it
- Provide equality training, to make sure they know the right and wrong ways to behave

The policy also stipulates that applicants should be aware of their duties under the Equality Act 2010 and should provide such facilities so as to enable the admission of disabled people where possible. A disabled person in this sense would mean a person with a physical and/or mental impairment.

All applicants must ensure that they have the appropriate planning permission in place in order to operate their business. The Licensing Authority will require applicants for a premises licence and/or variations under the legislation to have already obtained any necessary planning consent; this will help avoid unnecessary confusion within the local community.

The Planning Service has provided assistance in the writing of this policy and been consulted on its content.

The Health Protection Service and Environmental Protection Service have also been consulted on the content of the policy.

Religion/Belief

The Licensing Authority will consider the character of the relevant locality (as stated in legislation – Local Authority (Miscellaneous Provisions) Act 1982 12(3)(d)(i) as amended, of which deals with the proximity of various types of premises, including religious buildings and establishments).

The Licensing Authority will have regard to premises that are licensed in close proximity to places primarily used for religious worship; these may include:

- churches
- mosques
- temples
- synagogues
- other places of religious worship

The policy will pay regard to licensed premises where it is identified that they will be part of the Cultural Hub; this includes the Millennium Galleries, Tudor Square, theatres and the Central Library.

Sex

The policy sets out how we will regulate and impose strict but fair conditions.

The Licensing Authority will expect current and future applicants to put in place extensive safeguards for the protection of their performers (SEV's) from harassment and other unwarranted attentions; this in part will be helped by the imposition of licence conditions, including the use of security staff and mandatory CCTV.

The Licensing Authority will ensure premises display advisory notices, leaflets and any other form of information for those working at a premises with regards to the different organisations that are available to give advice on security, harassment and victimisation etc. (This is not to suggest that this is common place).

As cited in Sanders et al. (2015), resources, such as <http://www.dancersinfo.co.uk> have been established for those employed or who work in the industry.

We have created a permanent, accessible and mobile resources for dancers, consisting of essential information about personal safety at work (in partnership with Suzy Lampplugh Trust); tax awareness (in partnership with HM Revenue and Customs); and self-employment information. This resource is available through an Iphone App and website: www.dancersinfo.co.uk/ (p 69)

The above resource will form part of the standard conditions for SEVs to make available.

The Licensing Authority will work closely with the Sheffield Safeguarding Board to promote safeguarding and to raise awareness of associated issues and potentially provide a confidential system for reporting incidents/issues if and when they arise.

Sheffield Safeguarding Children's Board have provided assistance in the writing of the policy.

Licensing conditions will stipulate that all members of management and staff attend training, which will be provided by the Sheffield Safeguarding Board. The training will include awareness of licence conditions, management practises and any relevant legislation to ensure compliance with the same. A written record of all such training shall be maintained at the premises and made available on request to the police and any authorised officers of the Council.

Voluntary/Community & Faith Sectors

The Licensing Authority is aware of sensitive buildings/premises that are located around the city. The Licensing Authority will consider the character of the relevant locality when considering an application and will take account the proximity of various types of premises e.g. hospitals, mental health or disability centres; substance misuse treatment centres; sexual exploitation services, rape and sexual abuse centres; places of religious worship, including churches, mosques, temples, synagogues and other places of religious worship.

Cohesion

The Licensing Authority notes that it is lawful to operate sex establishments and that such businesses are a legitimate part of the retail and leisure industries. Sex establishments are legally in existence by way of an Act of Parliament.

The Licensing Authority's role is to administer the licensing regime in accordance with the law. The law empowers local people and the community to be involved in the licensing process by way of being able to make representations to applications.

The policy will pay reference to the character of the relevant locality when considering an application and will take account of the proximity of various types of premises, including residential areas that are frequented by children and families and/or vulnerable adults.

Include monitoring arrangements, etc. You can copy and paste your action plan in this section

Supporting Evidence (Please detail all your evidence used to support the EIA)

* NOTE: This section does not fully print from SharePoint - a word version of this section has been appended to the EIA for the purposes of the Committee Report. *

Age

The Local Government (Miscellaneous Provisions) Act 1982, as amended allows for the licensing of sex establishments. The legislation stipulates that "a licence under this schedule shall not be granted to a person under the age of 18".

Furthermore, the policy document states, under proposed conditions, that entry is prohibited to people under the age of 18 years, and that persons under the age 18 shall not be employed or undertake work on a self-employed basis. This ensures that those premises that are licensed are regulated in a strict, but fair manner.

Colosi (2013) states: "where work in lap-dancing clubs is limited, women may seek work in more unregulated, high-risk, erotic dance environments, which have escaped the relevant licensing. This potentially exposes these women to physical risks, as the threat of violence is more of a reality in unregulated erotic dance environments where work in lap-dancing clubs is limited, women may seek work in more unregulated, high-risk, erotic dance environments, which have escaped the relevant licensing. This potentially exposes these women to physical risks, as the threat of violence is more of a reality in unregulated erotic dance environments" (p.10).

The Licensing Service has undertaken work with Sheffield Safeguarding Children's Board. Information received states that there have been no upheld complaints in relation to any of the currently licensed sex establishment premises. However, an allegation relating to one premises was made in 2012 relating to age, but no action was taken after a multi-agency meeting was undertaken and systems found to be satisfactory.

Additionally, South Yorkshire Police have indicated that there have been no complaints or investigations in relation to persons aged 16 and under in any of the establishments currently licensed by Sheffield City Council.

Disability

The Equality Act 2010 states that reasonable adjustments should be made in order that disabled people can access such places that are ordinarily accessible by the public, such as shops, banks, cinemas, hospitals, leisure centres etc. It is felt that sex establishments would fall under this category.

However, adjustments only have to made if they are deemed reasonable, and this depends on things such as:

Supporting Evidence

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Disability

The Equality Act 2010 states that reasonable adjustments should be made in order that disabled people can access such places that are ordinarily accessible by the public, such as shops, banks, cinemas, hospitals, leisure centres etc. It is felt that sex establishments would fall under this category. However, adjustments only have to be made if they are deemed reasonable, and this depends on things such as:

- the disability
- how practicable the changes are
- if the change asked for would overcome the disadvantages that disabled people experience
- the size of the organisation
- how much money and resources are available
- the cost of making the changes
- if any changes have already been made

Race

Comments, objections and other such information received in conjunction to representations to past applications and consultations for sex establishment licences have not highlighted or brought about negative connotations in relation to this characteristic. The Act allows for the licensing of sex establishments and no stipulations are made in regards to race.

Religion/Belief

The law pertaining to the licensing of sex establishments empowers the local and wider community to be involved in the licensing process and provides the ability to raise representations in respect of applications.

However, paragraph 3.23 of the Home Office guidance on licensing for sexual entertainment venues states explicitly that *"objections should not be based on moral grounds/values and local authorities should not consider objections that are not relevant to the grounds set out in paragraph 12"*.

Additionally, the Case R v Newcastle upon Tyne City Council, ex parte The Christian Institute (2001) B.L.G.R. 165, further supports the stance on moral objections and the weight they are given:

"Mr Holland [appellant] has suggested that the provisions of paragraph 12(3)(c) and (d), do enable the authority and the Court to take account of what he has called the moral case against the activities but, in my [judge] judgment, it does no such thing.

It is therefore clear that the legislation does not make provisions for representations that are rooted in moralistic value-judgements, rather they must be in line with the prescribed legislation".

Furthermore, Whur (2011) states that *"it would be unlawful for a local authority to refuse a licence by giving weight to a view of its own, that sex establishments should not be allowed at all"*.

Sex

Sheffield currently has two licensed sexual entertainment venues, one of which has a predominantly female workforce; the other of which accommodates male and female guests/performers. Views submitted by performers (exclusively female) in regards to previous applications and subsequent representations for sexual entertainment venues suggest that the opportunity for a flexible, self-employed work pattern is an attractive proposition, providing a sustainable income and work/life balance. Not licensing such premises would have a negative impact on those in lawful employment, particularly women.

A witness statement in relation to a previous Sexual Entertainment Venue licence, submitted by Specht states:

"We employ 13 staff and have around 40 dancers on our records at any one time. Some of the staff and performers have been working at Spearmint Rhino in excess of 10 years... Contrary to what the objectors say they are respected members of the team and in their own words they would not continue to work at Spearmint Rhino for the length of time they have if they did not enjoy it and did not consider themselves to be well treated. The performers are self-employed. They make a good living from performing at Spearmint Rhino... To suggest that they are mistreated or do not earn money is without any foundation. There is a suggestion that the employees are men: however 5 are female. It is probably also worth bearing in mind that the president of Spearmint Rhino is a woman; as is the Head of Human Resources, the Head of Marketing and Chief Financial Officer for the company. The manager in Birmingham is female and has been with the company for 17 years. Spearmint Rhino employs managers according to their qualities, not their gender". (p.7).

Women's groups such as Object and the Fawcett Society have led campaigns against lap-dancing, arguing that limiting SEV's will help improve gender equality by reducing the objectification of women (Colosi, 2013). However, Colosi (2013) argued that:

"This view is far too simplistic. In the long term, the closure of lap dancing clubs will result in the unemployment of women, particularly problematic in a time of recession, leading to issues of poverty where ex-dancers are unable to find employment". (p.9)

Additionally, Colosi (2013) states that *"this also risks pushing the stripping industry underground, with more women opting to work in unregulated environments as erotic dancers, where the physical dangers can be considerable"* (p.9). This view is further substantiated in New York City where a zero tolerance approach to sex related businesses has forced the industry underground (Eliot as cited in Colosi, 2013, p.3)

Furthermore, Colosi (2013) states:

"lack of regulation may significantly affect the safety of the women working in these specific work environments [- erotic entertainment dance venues]. For instance, some of the special conditions applicable to lap-dancing clubs and similar venues under the Licensing Act 2003 (which continue under the new licensing regime), including the use of CCTV and security staff, are inevitably not enforced in instances where erotic entertainment is not known to LA's". (p.9)

Additionally, Colosi (2013) states that *"the use of CCTV and security, in particular, is known to play an important role in protecting erotic dancers from harm in the work place"* (p.9).

Information provided by South Yorkshire Police, coupled with the fact that they have never objected to previous applications for any sex establishment in Sheffield, demonstrates that there appears to be no negative impact on crime and disorder from such premises in Sheffield.

Sanders Hardy & Campbell (2015) state that:

"Campaigns to close down strip venues conflate striptease with prostitution and further associate strip venues with organised crime, drug trafficking and money laundering (Jeffreys, 2008). Where there are migrant dancers, police intelligence has assumed this is evidence of sex trafficking (Ward and Wylie, 2010), only to find out after raids and arrests that women are working as strippers voluntarily. Such campaigns seize on unsubstantiated claims regarding strip clubs encouraging violence against women in the area, or suggesting that customers who buy striptease will become violent and sexually predatory (Colosi, 2013). Yet claims to the secondary effects of strip clubs are unsubstantiated in terms of increasing the number of crimes (Hanna, 2003; Ward and Wylie, 2010; Jackson, 2011). Even the official police evidence presented to the House of Commons Committee considering the evidence for licensing change stated clearly that crime and disorder were not a cause for concern in relation to licensed strip premises in the UK" (see Sanders and Hardy, 2014, Chapter 3) (p.85).

Furthermore, as stated by Colosi (2013) *"the report produced by Eden (2007), which underpinned Object's anti-lap-dancing campaign, made inaccurate claims about the connection between the rates of rape and the proliferation of lap-dancing establishments"* (p.7). Colosi (2013) further points out that in making these inaccurate claims:

"Eden (2007) does not take into account other external factors which may have influenced the increase in reports of rape, such as local population increase. In addition, increased awareness and support for victims of sexual violence may encourage more victims to come forward and report incidence [sic] to the police. Regardless of this, the figures between 1999 and 2002 are still low, which means the increase is not statistically significant. Finally, a causal link cannot be inferred from statistical patterns such as these". (p.7).

To the extent that many people would believe that representations in this respect (sex) are moral, it is not something that the Licensing Authority can take into account when making a decision on whether to grant a licence. Home Office (2013) guidance on licensing for sexual entertainment venues states explicitly that *"objections should not be based on moral grounds/values and local authorities should not consider objections that are not relevant to the grounds set out in paragraph 12"* (p.18). However, we as a Licensing Authority have considered this on an equalities basis, and through research conducted in this area, feel that it is still primarily a moral standpoint.

Whilst the customer demographic for such venues is largely male, it is not unusual for females or couples to visit such premises – there is no bar to legal entry for either sex at any time. Research by Wosick-Correa and Joseph (2008) support this stance in that *"recent shifts in the consumer base of the sex industry have involved greater female attendance in strip clubs"* (p.201). This view is further substantiated by Specht (2016), stating that:

"There is a suggestion that we are only frequented by men. This is mistaken. We cater for a significant proportion of women patrons. We also host a number of hen parties. Women come to the premises for the entertainment and atmosphere we provide. Our clientele are diverse. We welcome all. Because of what is being said by the objectors I feel it necessary to point out that our patrons also include the LGBTQ community". (p.9).

It is felt it would be a negative move to impose a total ban on these types of premises (specifically SEV's) and it is felt that through regulation; imposition of strict but fair conditions and a strong, robust policy they can operate without issue or cause negative effects, specifically in relation to this characteristic.

Colosi (2013) states that:

"legislation has shifted the focus further away from the employment rights of lap-dancers, putting more emphasis on the potential impacts lap-dancing clubs have on community safety, with regard to crime and disorder, despite limited evidence to support this focus. The licensing of lap-dancing clubs, as other businesses, whether sex-related or otherwise, is necessary as there is always a need for thoughtful regulation, taking into account all stakeholders. This can only be done effectively if the narratives of the workers, as well as other stakeholders, are carefully listened to. Furthermore, in relation to lap-dancing, along with other sex-work, it is important that this work is treated in a similar way to other 'mainstream' modes of work, rather than as a deviant or criminal activity". (p.10).

Research conducted by Sanders et al., (2015) indicates *"that there was a dominant discourse amongst dancers that they were performers and dancers and not sex workers."* (p.86), and that their voices were silenced in the process of implementing the Police and Crime Act 2009.

Sanders et al., (2015) state that *"radical feminists have spoken out about what they see as the cultural turn to the sexualisation of society, with 'lap dancing' considered an activity which fuels a misogynist society and the maintenance of gender inequality, violence and fear amongst women"* (p.84). However, such campaigns seize on unsubstantiated claims regarding strip clubs encouraging violence against women in the area, or suggesting that customers who buy striptease will become violent and sexually predatory" (Colosi as cited in Sanders et al., 2015, p.85).

The views of dancers and performers working within sexual entertainment venues in Sheffield have been given a platform to provide feedback. This is important, due to the implementation of legislative change (Policing and Crime Act 2009) as stated by Sanders et al., (2015) *"community and campaign group voices were heard over that of the dancers themselves, who were not consulted in the process"* (p.83).

A total of 25 surveys were received as part of the exercise. In the main, the results reveal that the vast majority of dancers work in sexual entertainment venues to earn extra money, and enjoy the flexibility in hours. The results also reveal that they feel safe and that the management and security staff are approachable should issues arise.

Carers

Comments, objections and other such information received in conjunction to representations of past applications for sex establishment licences have never highlighted or brought about negative connotations in relation to this characteristic.

Cohesion

There is no evidence in Sheffield or any objection from responsible authorities or South Yorkshire Police to support the view that sex establishments contribute towards prostitution and/or crime and disorder.

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Supporting Documentation

[Click here to attach a file](#)

- Additional EIA Information for Sharepoint.docx
- Bibliography.docx

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Consultation

Consultation required

Yes No

Consultation start date

22/11/2016



Consultation end date

31/03/2017



Details of consultation

The Council has consulted with stakeholders on the content of this policy. These stakeholders have included:

- All current sex establishment licence holders
- Current staff and performers
- Elected Members of Sheffield City Council
- The local Member of Parliament
- South Yorkshire Police
- Environmental Protection Service
- South Yorkshire Fire and Rescue
- Sheffield Safeguarding Children Board
- Sheffield Safeguarding Adults Board
- Health Protection
- Director of Business Strategy and Regulation
- Trading Standards
- Planning
- The Executive Director – Place
- Other Local Authorities in South Yorkshire
- Religious Establishments
- Sheffield Schools
- Objectors to previous sex establishment licence applications or renewals
- Equality Groups

The Council conducted a number of pre-consultation workshops between the 21 November 2016 and 28 November 2016.

Invitations to the pre-consultation workshops were sent to Sheffield City Council Elected Members, the members of the Licensing Committee, existing sex establishment licence holders, religious establishments, schools and equality groups. A total of 768 invitations were sent out by post and e-mail, and the workshops were attended by:

- Current licence holders
- Elected Members
- Representatives of Schools
- Representatives of Religious Groups
- Representatives of Equality Groups
- Groups/Individuals that have previously objected to sex establishment licence applications.

The First Stage of the consultation process was conducted over a seven week period from the 19 December 2016 to the 3 February 2017 where comments were invited via email and post to Sheffield City Council's Consultation Hub – Citizen Space. Letters and emails were sent and interested parties were invited to submit comments via email, in writing and on the City Council's online consultation hub, "Citizen Space".

Are Staff who may be affected by these proposals aware of them

Yes No

Are Customers who may be affected by these proposals aware of them

Yes No

If you have said no to either please say why

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Summary of overall impact

Summary of overall impact

Overall, there are some potential negative differential equality implications identified. These are mainly for: women, children and young adults and social cohesion. However, most are mitigated by the clarity provided in the Policy regarding how the Licensing Authority will make decisions and then regulate the strict conditions.

The Policy sets out how the Licensing Authority will promote awareness and guidance and reminding licensees of their equalities responsibilities, by way of licence conditions and the Policy itself.

The draft Policy has been subject to consultation as detailed above and the views of all consultees have been taken into consideration alongside the legal obligations of the Licensing Authority.

Summary of evidence

The Licensing Authority has used a range of publications in the writing of the policy and Equality Impact Assessment. The bibliography of publications can be found as an attachment.

Changes made as a result of the EIA

No changes have been made as a consequence of completing the Equality Impact Assessment. The licensing Authority has a legal duty to to regulate sex establishments in accordance with the law. This includes due regard for the Public Sector Equality Duty.

If none, specify why

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Escalation plan

Is there a high impact in any area?

Yes No

Overall risk rating after any mitigations have been put in place

High Medium Low None

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Review date

Review date



If a review date is specified, it will appear in the 'Upcoming Reviews' view when the EIA review is within 30 days.

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Incomplete

Mark as ready for approval

Once you've finished filling this form, you need to first mark it ready for approval, then submit it.



Additional EIA Information

Meeting the Aims of the Public Sector Equality Duty

The Council's duty is to give due regard to the need to promote equality of opportunity, eliminate unlawful discrimination and promote good relations in the discharge of its licensing functions, principally the consideration and determination of applications for sex shops, sex cinemas and sexual entertainment venues and the consideration of requests that the requirement for a licence be waived.

In terms of the process of considering and deciding these issues it is not considered likely that the equalities obligations are at risk as there is no perceivable risk of unequal access to the service between different equalities groups save that those under 18 and those not resident in the UK cannot apply for SEV applications; provisions which would have equalities implications but that are justified and lawful by virtue of being included in the statutory provisions.

It is in the impact on equalities groups that may be relevant to the duty in consequence of applications being granted or refused that is more challenging to identify and quantify. Relevant entertainment is a highly controversial activity about which many hold very strong opinions as is apparent from previous comments to applications and care has been taken to bring forward that range of opinion for consideration by elected members in the formulation and adoption of the policy..

The policy provides a detailed framework that should facilitate the decision makers in carefully scrutinising applications and applying their minds conscientiously to all relevant factors within the statutory framework that lays down how these decisions might be made.

The policy includes a clear and unequivocal commitment to meeting the equalities duty in the exercise of all of the functions under the Act. The policy and the documentation flowing from it are intended to be a key means of facilitating compliance with all of the council's obligations. Great care has been taken in developing a policy that is fit for purpose in this regard but it is only when it is tested in action that it will be possible to evaluate its effectiveness. This assessment will be kept under regular review particularly in the early period of implementation of this new policy so that any shortcomings identified in the document itself and/or the way it has been implemented can be addressed.

Monitoring

The proposed policy will be reviewed and updated at each stage of the consultation and decision making process. The EIA will also be produced on the corporate system to support and inform decision makers and again this will be reviewed and updated throughout this process.

An EIA will be undertaken for all policy reviews.

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