

APPENDIX B

Stage One Comments

(Objectors 1 to 49)

From: [REDACTED]
To: [licensing@service](#)
Subject: Re: Public Consultation: Sex Establishment Policy
Date: 22 April 2019 15:12:32

Public Consultation: Sex Establishment Policy

Dear Sir/Madam

In response to your email containing the public consultation for Sex Establishment Policy, my comments are as follows:-

I OBJECT TO LICENSING OF ANY/ALL SEXUAL ENTERTAINMENT VENUES
AND ANY/ALL SEX CINEMAS

Yours faithfully

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 18:15:11

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION. Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs).
4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy.
5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information.
6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.
7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Public Consultation: Sex Establishments
Date: 22 April 2019 15:14:25

Dear Sir/Madam

In response to your email containing the public consultation for Sex Establishment Policy, my comments are as follows:-

I OBJECT TO LICENSING OF ANY/ALL SEXUAL ENTERTAINMENT VENUES AND ANY/ALL SEX CINEMAS

Yours faithfully

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [REDACTED] licensingadmin@barnet.gov.uk; [licensing@service](#)
Subject: Strip Clubs
Date: 03 July 2019 22:01:59

Strip Clubs are simply 'brothels light', they cannot be regulated, women cannot be protected and they perpetuate 'President Club' attitudes.

Recent independent investigations show men are buying foreplay in Manchester's Strip Clubs and women to have sex with each other at Sheffield's. Sexual contact is standard even in the most regulated club in the country - Spearmint Rhino, Camden - despite 63 CCTV cameras.

This simply confirms what has already been recorded over years in at least 70 strip clubs across the UK (1/3 of the entire strip industry). Harassment and even assault is the norm. As are drugs and dealing. Pimps frequent clubs or tout outside. The entire industry is nothing more than a feeder for local brothels and all the associated crime and exploitation that that entails.

This is happening despite 'stringent regulation' by Councils including 'secret' spot checks, banks of CCTV cameras and even 'panic buttons'. Despite statements from everyone in the industry that 'it is happy family', 'a safe environment' and 'the rules are never broken'. The industry cannot be controlled and needs to end.

We call on:

1. Sheffield/Manchester/ Camden Councils:

Close down their strip clubs immediately, support performers out and introduce a policy for zero strip clubs.

2. Our MPs:

Push for law change to end the strip trade, as already enacted in Iceland and Israel.

3. Local Councils:

Stop licensing strip clubs. Provide exit support to the women working in them - women they are directly responsible for being sexually exploited.

Local Councils are also at risk of legal challenge, as one Council has already experienced, for breaching both licensing and equality law by licensing and re-licensing the strip trade.

4. The Home Office:

Issue new guidance immediately advising Councils to stop licensing the industry and support lap dancers out. This is because It cannot be regulated, is linked to high levels of abuse of women inside and in their vicinity and feeds 'Harvey Weinstein' attitudes - making a mockery of saying 'Times Up' to the routine

harassment, abuse and assault of women in wider society.

Longer term, legislation is required to finally say 'Times Up' to the strip trade

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 18:15:39

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Cc: [REDACTED]
Subject: Re: Public Consultation: Sex Establishment Policy
Date: 17 May 2019 10:18:51
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Please find below comments from Legacy Park Ltd (the company responsible for facilitating delivery of Sheffield Olympic Legacy Park on the site of the old Don Valley Stadium in Attercliffe)

Sheffield Olympic Legacy Park currently comprises a 1,200 pupil school, a 600 student college, the English Institute of Sport Sheffield, iceSheffield, Don Valley Bowl and a community pitch hosting rugby league and women's football.

Currently under construction / due to begin construction are two Sheffield Hallam University research centres and a 3,900 capacity community stadium.

Work is now underway to attract further investment and regeneration to the Attercliffe area in terms of commercial and residential developments.

After reviewing the draft sex establishment policy we would welcome the discretionary grounds for new applications and renewal of applications to be refused being implemented more widely, particularly taking into consideration the change and increase in usage / users in the locality and the fact that Attercliffe Road is a central gateway to the city.

If applications are renewed for existing establishments we would expect to see changes to the design of the premises frontage (signs and displays) to limit the negative impact to users and potential investors.

thanks

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]



 Please consider the environment - do you really need to print this email?



From: [REDACTED]
To: [licensing@service](#)
Subject: Fw: Sex establishment policy consultation
Date: 03 July 2019 13:32:45
Attachments: [SCC SE Policy for consultation 2019.docx](#)

Dear Licensing

I would like to provide input into your current sex establishment policy consultation. The changes suggested in the attached document match those I would like to see reflected in the new policy.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

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

Licensing Service

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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 Council is also empowered to refuse new licence applications and renewals to existing licences.

Comment [AB1]: This sounds defensive and presumes licences will be granted

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

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

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Part 3 – CONSULTATION ON THIS POLICY

This policy is subject to a 12 week consultation.

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.

DRAFT DOCUMENT FOR CONSULTATION 15/4/2019 TO 5/7/2019

“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]: lap dancing; 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.

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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;
- ~~foster promote~~ good relations (including tackling prejudice and promote understanding);

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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.

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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 and 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:

1. 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.
2. details as to the exact nature, extent and scope of the business for consideration by the Licensing Authority.
3. 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).
4. 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:

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

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Comment [AB2]: We suggest you remove this. Why is it necessary? It also means more work for Licensing to redact this as it could lead to the identification of the objector and placing them at risk

Comment [AB3]: Why is it necessary to include this? Proximity to the proposed club not only identifies the objector's location but also creates more work for Licensing as this information would have to be redacted.

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:

1. That the applicant is unsuitable to hold a licence;
2. 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;
3. That the layout, character or condition of the premises are inappropriate for the proposed establishment;
4. That the use of the premises as a sex establishment would be inappropriate due to the use of premises in the vicinity;
5. That the use of the premises as a sex establishment would be inappropriate due to the character of the relevant locality; and / or
6. That the number of sex establishments or sex establishments of a particular type is inappropriate in the relevant locality.

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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:

- 1. 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
- 2. 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.

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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.

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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.

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Further,

- 1. if the applicant has previously been involved in running an unlicensed sex establishment; or
- 2. 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.

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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:

- 1. (a) that the operator is honest;
- 2. (b) that the operator is qualified by experience to run the type of establishment in question;
- 3. (c) that the operator fully understands the licence conditions;
- 4. (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)
- 5. (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).

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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:

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

4.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, youth centres 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 and access routes to and from the same;
- (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, museums, art galleries or tourist attraction;
- (f) predominately residential areas including sheltered accommodation and student accommodation; and
- (g) The Cultural Hub (Millennium Galleries, Tudor Square, theatres and library), the Cultural Industries Quarter, any cultural area.

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,

Comment [AB4]: We recommend a nil cap, in line with Rotherham and other local authorities adopting a nil cap. If as a city we are working to achieve white ribbon status we need to be working towards a nil cap

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Comment [AB5]: This is weaker than in the 2011 policy and we recommend the wording from the 2011 policy be retained:

The Council will not licence premises that it feels are in close proximity to etc. See notes at the end of this policy

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Comment [AB6]: If these additions are not made, then the committee is requested to justify why SEs are inappropriate near Millennium Galleries etc but not near the Site Gallery, Showroom and other proposed places for the CIQ?

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 have 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:

- 1. 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.
- 1. when an application for a licence at a permanent commercial property is made, that property should have the appropriate planning and building regulation consents.
- 2. 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 about the application of a sex establishment licence.

WAIVERS

Comment [AB7]: This has not happened in practice where in the Spearmint Rhino case, the QC has relied heavily on the Cultural Hub definition

Comment [AB8]: Again, this has not happened in practice (2018). Here the word "perceives" is used whereas in practice, the sub-committee has always defended its decisions on the basis of evidence of harm/negative impacts.

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Comment [AB9]: Recommend having the conditions stipulated as an appendix as the minimal standard – see Southend-on-Sea, Manchester etc, particularly in light of recent reported breaches at Spearmint Rhino

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:

1. sexual health,
2. the prevention of sexually transmitted diseases and HIV,
3. mental health;
4. substance misuse; and
5. 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. Licence holders must have health and safety policy measures in place that reduce the risk of violence to staff.

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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.

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- **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.

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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.

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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 2018, 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.

Comment [AB10]: Needs updating to refer to GDPR

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.

ADDITIONAL NOTES ON LOCATION

"Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:- a) a school, nursery or other premises substantially used by or for children under 16 years of age; b) a park or other recreational area used by or for children under 16 years of age; c) a church or other place of religious worship; d) a Hospital, Mental Incapacity or Disability Centre or similar premises; e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or f) a central gateway to the city or other city landmark, historic building or tourist attraction. 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. 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. It will be for the Licensing Authority to determine what at any time constitutes the Cultural Hub of the City as well as any central gateway, landmark, historic building or tourist attraction. Applicants can contact the Licensing Section for advice in individual circumstances about whether a location is likely to require referral to Licensing Committee. The Council will also consider the following factors when deciding if an application is appropriate:- a) 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; and/or d) the design of the premises frontage (signage/images etc. see paragraph 8 below). e) Any relevant representation and/or objection to the application."

As far as schools are concerned, this was weakened in the 2017 policy, which says:

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- When considering the character of the relevant locality, the authority 'will have regard to...the fact that... 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...'. and
- When considering the use of other premises in the vicinity, the authority 'will have regard to... schools, nurseries or other premises substantially used by or for children under 18 years of age...'

So it is much more discretionary which effectively means that you can just have regard to it and then go ahead anyway.

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From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 17:37:50

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.

2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as Villa Mercedes, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').

4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?

5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

I look forward to your response

Kind regards
[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 17:47:26

Introduce a policy for ZERO strip clubs in Sheffield

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5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

Best Regards,

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 01 October 2019 19:37:48

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

Strip clubs are also inextricably linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and no doubt many unreported assaults.
4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and on SEV and Equality law. This must be done by those harmed by the industry or their advocates – the only reliable source of information
5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut.

Regards,

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 17:52:05

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
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It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

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5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

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From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 17:53:03

[REDACTED]

Introduce a policy for ZERO strip clubs in Sheffield

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Regards
[REDACTED]

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 17:54:19

125 Ecclesall Road South Sheffield S11 9PJ

Introduce a policy for ZERO strip clubs in Sheffield

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[REDACTED]
Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 14:28:22

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs).

4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy.

5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information.

6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.

7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 23 August 2019 20:53:02

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate or monitor strip clubs or to comply with this legislation

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other

Strip clubs are also intimately linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

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4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and SEV and Equality law . This must be done by those harmed by the industry or their advocates – clearly the only reliable source of information
5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 01 October 2019 22:44:07

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

Strip clubs are also inextricably linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and God knows how many unreported assaults.
4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and on SEV and Equality law. This must be done by those harmed by the industry or their advocates – the only reliable source of information
5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 29 October 2019 14:47:36

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

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Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

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6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 17:56:22

[REDACTED]

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.

2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as Villa Mercedes, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').

4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?

5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court is non compliant with equality law. Why has this same draft been put out again for consultation?

[REDACTED]

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 17:58:31

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

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[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 18:02:01

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as Villa Mercedes, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').
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5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 29 October 2019 15:47:09

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues): 1. There is NO LOCATION that is appropriate 2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply Even clubs with extensive CCTV coverage (Spearminth Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other Strip clubs are also inextricably linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels 3. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and God knows how many unreported assaults. 4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and on SEV and Equality law. This must be done by those harmed by the industry or their advocates – the only reliable source of information 5. Take STRIDENT ACTION on testimonies of women who speak out against the industry 6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut.

[REDACTED]

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 18:16:51

Dear SEV Licensing Committee,

Please introduce a policy for ZERO strip clubs in Sheffield as follows:-

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as Villa Mercedes, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').
4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?
5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

Yours sincerely,

[REDACTED]

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 18:18:05

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').
4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?
5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 18:16:57

Introduce a policy for ZERO strip clubs in Sheffield in line with the following:

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated, whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as Villa Mercedes, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').
4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?
5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

[REDACTED]

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to Sheffield City Council SEV Licensing Consultation
Date: 23 August 2019 13:53:09

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION:
 - UK-wide undercover investigations show it is impossible to regulate strip clubs or comply with this legislation.
 - Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other.
3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs. This might entail removing 'viewing galleries' from Swingers Clubs.
4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade and how it evades regulation. SEV and Equality law must be written into policy.
5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information.
6. REGULATION must be written into policy, including genuine secret checks by trained undercover operatives and extensive, high-quality CCTV, with Council officers checking CCTV from several random time frames each month.
7. EXIT SUPPORT must be written into policy, ie meaningful support for all lap dancers from strip clubs that are shut.

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 18:17:21

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

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5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

[REDACTED]

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Zero sevs
Date: 31 October 2019 09:51:20

Dear Licensing

I believe that Sheffield council is looking to get a White Ribbon and join the campaign which is great violence and harassment of women needs to stop. A good first step would be to have zero SEV. In Sheffield and bring us into the 21st century.

I support Not Buying It Sheffield's paper and call for Sheffield to adopt a nil cap of SEVs.

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 18:32:11

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

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5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 14:13:27

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs).

4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy.

5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information.

6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.

7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 08 September 2019 13:38:42

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate or monitor strip clubs or to comply with this legislation

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other

Strip clubs are also intimately linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs)
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5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 24 September 2019 20:29:31

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

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Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
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6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 01 October 2019 17:46:30

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

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3. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and God knows how many unreported assaults.
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5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 01 October 2019 17:46:30

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5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 30 October 2019 21:08:39

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply

Even clubs with extensive CCTV coverage (Spearhead Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

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5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 18:44:05

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').
4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?
5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

Kind regards

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 19:51:03

Please introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.

2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').

4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?

5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

It is important for the welfare of Sheffield's residents, especially women and young people, that strip clubs be outlawed in the city and I hope you will ensure that this happens.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Sexual Entertainment Venue Licensing Policies
Date: 02 October 2019 11:57:49

Hello

Please will you introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues) as soon as possible, on the following bases:

1. There is NO LOCATION that is appropriate.
2. Recent events have made it patently clear that you CANNOT license strip clubs without breaching HEALTH and SAFETY, SAFEGUARDING and EQUALITY law and obligations or Laws against PIMPING and BROTHEL KEEPING:

The Council's own report into your one currently operating strip club found over 200 breaches and suggested unfit management. This was in Spearmint Rhino – a highly respected industry leader.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', years of sworn statements from countless club staff that it was highly regulated and a wealth of codes and policies. It is equally clear that there is nothing you can put in place to prevent such breaches:

More CCTV is meaningless – Spearmint Rhino Camden had 63 cameras and yet 'dancing' there also involved widespread sexual contact, women trying to prostitute themselves and pimps outside, as witnessed by undercover investigators.

Allowing clubs to employ in-house inspectors is equally meaningless, as is now being practised at Spearmint Rhino Sheffield. The head of the Rhino chain even knows when these so-called 'independent inspectors' make their visits!

More posters in the club with the codes, logs of breaches, more training of staff or management training is clearly equally meaningless. The entire industry operates BY breaching its licensing conditions and everyone in it knows this and has to allow this to happen in every club they work in.

Strip clubs are also intimately linked to wider criminality – drugs and dealing, tax and credit card fraud and money laundering and are a feeder and grooming ground for local brothels. It should be pointed out that local residents testified to pimps in the vicinity in the licensing hearing for Spearmint Rhino Sheffield 2019.

3. STOP licensing SWINGERS CLUBS, like La Chambre, where there has already been one RAPE conviction, another alleged RAPE and God knows how many unreported rapes and other sexual assaults.

4. Ensure TRAINING and regular refreshers for Councillors and Council staff on the harm of the strip trade, how it evades regulation and SEV and Equality law. This must be carried out by those harmed by the industry or their advocates. Not only do they clearly present the only reliable source of information but training carried out by those in support of the industry has clearly done nothing to alleviate the negatives of the industry. We would argue they can never be alleviated.

5. Take STRIDENT ACTION on testimonies from women from the sex industry who speak out against the industry.

6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut and this must be written in to this policy.

7. Take strident action against your numerous BROTHELS – shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Sheffield Council owes it to well over half its population (women and children) to crack down on its exploitative sex industries and ensure a safer and equal space for all. Your constituents deserve nothing less and I don't doubt that many voters (men as well as women) will remember the council's inexplicable decision regarding relicensing the Spearmint Rhino club come election time. It's in your own interests as well as council residents' to uphold equality law and community safeguarding.

Regards

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Re: Public Consultation: Sex Establishment Policy
Date: 03 July 2019 20:26:30
Attachments: [ZERO OPTION RESPONSE TO DRAFT 1.docx](#)

Dear Ms Bower,

Please find attached the response of Zero Option to the draft SEV Policy which is being consulted on. We initially sent this response to the previous consultation which has had to be repeated and the points we are making remain relevant.

Kind Regards

[REDACTED]

Zero Option's response to draft consultation on the Sex Establishment Policy Review 2016-2017

Introduction

This is a response from Zero Option Sheffield to the Sheffield City Council Sex Establishment Policy Draft Version 1.0, hereafter referred to as 'the Policy'. The scope of this response is limited to the Sexual Entertainment Venue (SEV) Policy only. Specific references to the Council's Policy with questions that we wish the Council to address are made throughout this paper.

We call on the Licensing Committee to resolve that no SEV licenses should ordinarily be granted within any of the localities within the local authority area.

Evidence-based research findings underpin the necessity for such a nil cap; sexual entertainment venues are incompatible with gender equality.

1 WHY SHEFFIELD SHOULD ADOPT A NIL CAP POLICY

We strongly urge the adoption of a nil cap policy for Sheffield. This would assist the Council in meeting many of the aims in its Corporate Plan and other policies as well as its obligations under the law regarding the promotion of equality and reducing violence and discrimination. In this section we provide detailed information to support this position.

We are aware that, and trust the Council does not dispute that, the key legal points in producing an SEV policy are that:

- Sheffield City Council must comply with equality duties when developing its SEV policy
- The SEV policy consultation process must:
 - be when proposals are at formative stage;
 - give consultees enough information and time to respond;
 - must conscientiously take the consultation results into account.

Sheffield Corporate Plan 2015-18 (approved by Cabinet on 18 March 2015) states:

‘Our aspiration is to be the best we can be – as individuals and communities, as a council and as a city.’







It identifies five priorities, including

- ‘An in-touch organization (This means listening; being connected and being responsive to a range of people and organisations; ideas and developments. This includes local people, communities . . .)
- Strong economy (this means creating the conditions for local businesses to grow and making Sheffield an attractive location to start a business. this means creating the conditions for local businesses to grow, making Sheffield an attractive location to start a business)
- Tackling inequalities (this means making it easier for individuals to overcome obstacles and achieve their potential. We will invest in the most deprived communities; supporting individuals and communities to help themselves and each other, so the changes they make are resilient and long lasting. We will work, with our partners, to enable fair treatment for individuals and groups, taking account of disadvantages and obstacles that people face.)’

Any new SEV policy should spell out that a key factor to be taken into consideration in the decision-making process shall be the impact upon women and gender equality. It may also be that the policy review should be referenced as an opportunity for the Council to meet its positive duties under the Equality Act to eliminate discrimination, advance equality of opportunity and foster good relations.

exception of Darnall Ward where the number shall not exceed two and why it has opted for the permitted number of SEVs of a maximum of two per City Boundary (p.8). It is our understanding that a policy of this nature should not be created to accommodate what is already in existence

Who has made representations at pre-consultation workshops and opted for a nil cap?

-  Zero Option Sheffield
-  Women's Equality Party (WEP) Sheffield Branch
-  Louise Haigh MP's Office
-  Paul Blomfield MP's Office
-  SHIFT Media
-  Individual interested parties not associated with groups

Zero Option is aware that not everyone who had made representations in 2016 received details and an invitation to the pre-policy discussion workshops held in November 2016. When a member of Zero Option enquired about the workshops, she was informed by a Licensing Officer:

'As a person who has previously been in contact with us regarding an SEV application, you will be contacted directly by a colleague from the Licensing Strategy and Policy team, who will formally invite you to a pre-policy discussion workshop'¹

At these workshops attendees were informed the workshop minutes/notes, including responses to the formal Questions posed by the Council officers in the workshops, would be circulated to all attendees prior to the deadline for feedback about the draft Policy. This did not happen until the Women's Equality Party submitted an FOI.

We have been made aware of the content of the Council's response to the FOI. Workshop attendance was as follows:

- 22nd November – 2pm – Elected Members (6 attendees)
- 22nd November – 6pm – Elected Members (2 attendees)
- 23rd November – 1:30pm – Licensing Committee (3 attendees)
- 23rd November – 5pm – Schools (0 attendees)
- 24th November – 2pm – Objectors / Equality Groups etc. (7 attendees)
- 25th November – 2pm – Objectors / Equality Groups etc. (6 attendees)
- 28th November – 5pm – Religious Establishments (9 attendees)
- 28th November – 6pm – Objectors / Equality Groups etc. (2 attendees)

We are informed that currently licensed sex establishments were invited to a workshop which had a very poor response, therefore a brief meeting with Spearmint Rhino took place, to explain what the Council intended to do at the workshop and they stated they had no comments to make at this stage of the process.²

The table which was sent with an overview of the responses to the questions participants were asked to answer, was not very helpful nor did it provide a breakdown of how many felt that the

¹ Email from Matthew Proctor 4/11/2016

² FOI response to WEP Reference FOI 3150 16th January 2017

new SEV Policy should be capped at nil. However, we do know that of the 15 who attended the Objectors/Equality Groups, there was a unanimous agreement that the new Policy should be capped at nil.

Members of Zero Option attended all 3 Objectors/Equality Groups workshops. We were informed that currently two Sheffield premises hold SEV licenses: Spearmint Rhino and La Chambre.

Other organisations and individuals who support this response

1. A Call to Men UK
2. Apna Haq, Rotherham
3. Bristol Fawcett Society
4. Cornwall Feminist Network
5. Coventry Women's Voices
6. Critical Sisters
7. Element Society, Sheffield
8. End Online Misogyny
9. End Violence Against Women Coalition
10. FiLiA (formerly Feminism in London)
11. Gloucestershire Sisters
12. Julie Bindel, journalist and activist
13. Jurors Understanding Rape is Essential Standard (JURIES)
14. Kate Smurthwaite - comedian and activist
15. Labour and Greens for Nordic Decriminalisation
16. Maria Lewycka, author
17. National Women's Committee of the Fire Brigades Union
18. Nordic Model Now
19. Not Buying It
20. One Billion Rising Sheffield
21. Radfem Collective
22. Resist Porn Culture
23. Sheffield Feminist Network
24. Sheffield Women's Counselling and Therapy Service
25. SPACE International (Survivors of Prostitution Abuse Calling for Enlightenment)
26. Stand Up for Women
27. Support After Rape and Sexual Violence Leeds
28. The Chat (Sheffield)
29. Women Analysing Policy on Women
30. Dr Maggie Wykes, University of Sheffield
31. Yes Matters

1.1 Harm and the meaning of 'moral' objections

Who does not consider SEVs to be harmful?

SEV owners

Some current performers in SEVs

Some sex worker rights activists

Some clients of SEVs- We argue 'some' with reference to recent research³ highlighting male gendered expectations to attend strip clubs but which were not enjoyed by all attendees. We also have heard from men who felt pressurized to go to strip clubs and felt uncomfortable in the environment and did not welcome the attention of performers. In

³Briggs, D. & Ellis, A. 2016, 'The Last Night of Freedom: Consumerism, Deviance and the Stag Party', Deviant Behavior, pp. 1-12-.

addition to this it was reported in December 2016⁴ that 'According to figures released by professional stage (sic, should read 'stag') do specialists *The Stag Company*, there has been a 47% drop in lap dancing requests.

Some members of the public

What is meant by 'harm'?

The harmful impacts of SEVs have been frequently dismissed by the Council in its approach to licensing decisions and policy-setting as being a 'moral' issue and therefore not relevant considerations. For example, it was reported in the *Sheffield Telegraph* when Wildcats SEV was refused planning permission that 'Some critics claimed a sex-orientated venue would put the safety of women at risk, but officers said their recommendation was based on the impact on the area, not on moral grounds'.⁵ Similarly, the Council, in its current SEV Policy and previous SEV licensing deliberations, has dismissed lawful concerns regarding the impact of SEVs on gender equality and discrimination against women and about how SEVs are antithetical to the fostering of good relations between the sexes, as set out in section 149 of the Equality Act 2010⁶; instead the Council has conflated these concerns with so called 'morals' in a broad-brush way that ignores the substantive content of the concerns.

In particular the Policy states that the Council:

'does not take a 'moral' stand on adopting this policy or when determining applications under this policy.' (para 6, p1)

Moreover Part 17 (p. 12) of the Policy states that no weight will be given to objections on moral grounds.

What constitutes a 'moral' objection?

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

In the preface to his book, *Sex Licensing* (2010), the barrister Philip Kolvin QC refers to the aim of Parliament in setting the now current legislation on SEV licensing⁷ as being based on:

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

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

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

but suggests that:

'In a modern context, therefore, for 'morality' read 'community values', a less loaded concept altogether' (p. x).⁸

Thus Kolvin makes clear that it is a fundamental guiding principle that communities should be able to exercise choice about the number (if any) of sex establishments in their locality based on their own values, i.e. the subjective values of the people in the community, in their full range and variety, rather than having these diverse considerations dismissed as invalid 'moralising.' Furthermore, the Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty, including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. About this Kolvin observes:

⁴<http://loaded.co.uk/lap-dancing-bookings-down-as-stag-dos-focus-on-less-seedy-alternatives/>

⁵<http://www.sheffieldtelegraph.co.uk/news/no-wildcat-action-as-lap-dance-venue-in-sheffield-is-blocked-1-5454560> and also see the Determination Notice of Sheffield City Council dated 16th May 2016 with regard to Spearmint Rhino.

⁶<http://www.legislation.gov.uk/ukpga/2010/15/part/11/chapter/1>

⁷Policing and Crime Act 2009

⁸Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing

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

What the Council appears to be referring to in excluding 'moral' considerations both in adopting the Policy, determining applications under it (as stated at p.1, para.6, of the Policy) and attaching no weight to objections (as stated at Part 17, p.12 of the Policy) is not 'moral' in Kolvin's sense of community values but a simplistic equation of 'moral' with 'anti-sex'. To dismiss all considerations based on community values is an extraordinary dereliction of the Council's duties to listen to the democratic voices of the community and to make responsible and lawful decisions having regard to the relevant and required factors.

The community values that the Council needs to take into account in setting its Policy, determining applications under it and considering objections includes a wide range of vitally important factors including faith values, equality, inclusion, community cohesion, safety, fairness and justice. Whilst the Council may consider that it is reasonable to give little weight to objections that appear to be based solely on an 'anti-sex' stance (if there are any) this cannot be a legitimate reason for the Council to exclude all other considerations based on community values. To do so is plainly contrary to the Council's fundamental legal obligations, including being highly discriminatory and in breach of the Equality Act, and also contradicts one of its Five Priorities of the Corporate Plan to be 'An in-touch organization (This means listening; being connected and being responsive to a range of people and organisations; ideas and developments. This includes local people, communities . . .)'⁹

2

We strongly object to the statements at p.1, para. 6 and in Part 17 (p.12) of the Policy that the Council will exclude all considerations seen as based on 'moral' factors in adopting the Policy, determining applications under it and attaching weight to objections. We request that these sections are removed and that the Council affirms that it will take a stance based on the full range of community values and other required considerations.

1.2 The impact of the Policy on all women

Gender inequality

The Council itself states in the Policy that:

'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 promote healthy sexual practices. We feel it would be a negative move to impose a total ban on these types of premises and it is felt that through regulation, imposition of strict conditions, a strong policy and strict limits on numbers of such premises we can help achieve this aim' (para 9, p.1)¹⁰

However, it is our informed belief that it is not possible to 'reduce the normalisation of the sexualisation and objectification of women' whilst at the same time expressly legitimising harmful practices by granting operating licenses to premises that do exactly that- reinforce and normalise the objectification and buying of women's bodies. This is a direct contradiction in terms and these two statements are incompatible.

A former lap dancer named Lucy stated:

' ... I truly believe that the reason men pay for lap dances is not because they are titillated visually by the sight of a naked woman, or even because the sexual contact is particularly stimulating. They do it because they get a power rush from the act of paying a woman to take her clothes off. She is vulnerable and he is powerful, and that's the real allure-that's the real reason the clubs are getting so popular. **Lap-dancing clubs are**

⁹ Op cit

¹⁰https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf

places in which you can all pretend that feminism never happened.’¹¹ (emphasis added).

Another former dancer states:

‘the idea that the sex industry is sex-positive and liberal [is] an absolute joke . .

[lapdancing clubs are] just a **manifestation of gender inequality**.’¹² (emphasis added).

A journalist who investigated lapdancing clubs concluded:

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

3

The Council is asked to provide a response as to how the Council believes it can justify not adopting a nil cap for SEVs when this is directly contradictory to its stated aim of actively reducing the normalisation of sexualisation and objectification of women.

Sexual harassment

There is no reporting structure for sexual harassment and as South Yorkshire police informed us, ‘sexual harassment is not an offence in its own right’¹³, such is the normalisation and minimisation of this form of violence against women. As a result it is clear that the proportion of sexual harassment incidents that are reported to the authorities in Sheffield is negligible, yet we know from research that this is the most common form of sexual violence.¹⁴

Recent research conducted by Dr Maggie Wykes at the University of Sheffield¹⁵ found that the emotional after-effects of an [sexual harassment] incident are: uncomfortable 80%; frightened 40%; angry 60%; embarrassed 50%; disgusted 45%. The biggest behavioural responses to the experience were: avoid going out at night; avoid going out alone; try to change appearance. When asked if they had told anyone, 70% had told a friend. When asked if they had reported the harassment to the police, responses were: 70+% thought it was not serious enough; 16% were too embarrassed; 22% didn’t think anyone could help. Nottinghamshire Police has now classified such harassment as a misogynistic hate crime.¹⁶

Sexual harassment is a commonplace experience in women’s everyday lives (see for example the Everyday Sexism Project¹⁷) and women do not expect to be taken seriously if they do report it (indeed, 85% of *rapes* are never reported¹⁸ and a sizeable proportion of women say this is because they fear being treated disrespectfully and/or being disbelieved). We find the same disbelief and dismissive attitude, including amongst Council officers, whenever women have voiced their fears of sexual violence and of feeling unsafe with regard to SEVs. As referred to above, on one occasion this was reported in the local press as having been dismissed by the Council as being merely a ‘moral issue’:

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

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

13 Communication from SYP 11th January 2017

14 Dr Fiona Vera Gray has researched this form of sexual violence extensively:

<https://www.opendemocracy.net/5050/fiona-vera-gray/men-s-intrusion-rethinking-street-harassment>

15 Publication pending

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

17 <http://everydaysexism.com/>

18 See Rape Crisis England and Wales who cite the Crime Survey England and Wales statistics from 2013

<http://rapecrisis.org.uk/statistics.php>

'Some critics claimed a sex-orientated venue would put the safety of women at risk, but [Council] officers said their recommendation was based on the impact on the area, not on moral grounds.'¹⁹

It is essential that in considering and setting its policy on sex establishments that the Council takes a strong and proactive approach to recognising the extent of the problem of sexual harassment and of the impact it has, rather than a reactive approach that puts the burden on victims of sexual harassment and other forms of sexual violence to prove their experiences and the harm it has caused them.

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

1.3 The impacts on performers

There is a small number of women who earn some money by working as performers in the Sheffield SEV, Spearmint Rhino (note that this does not apply to La Chambre, which we are told also holds an SEV Licence as it has a voyeurs' facility, but is a private members club and does not employ performers). At the Spearmint Rhino Licensing Hearing on 16th May 2016 the applicant submitted to the Licensing Committee four statements from performers praising their working conditions at the club. We feel that the Council also needs to give equal weight to women who have left the industry and have voiced the detrimental impacts performing in SEVs had on them. We also believe that the Council should consider the overall detrimental impact SEVs have on the wider community, in line with its PSED obligations, against any benefits from the operation of an SEV which may accrue to a minority of men and women.

A number of women who have come forward having left the industry have talked about how harmful they found it. One such example is the following:

'Lap-dancing reinforced all Elena's negative beliefs about herself and about men. "The men just see you as an object, not a person, and whether you are equally engaged in their desire is irrelevant. Increasingly, you learn to despise the men because of the way they perceive you. Lap-dancing is about creating a situation whereby the men feel they are doing you a favour - that's the way the game is set up, so all the power is with the customer." She believes that for men who visit lap-dancing clubs, enjoyment derives primarily from handing over the money, not from the dance itself.'²⁰

There are other views that are in the public domain, primarily those gathered by former dancer Jennifer Hayashi Danns in research for her 2011 book²¹ and those gathered in a consultation run by the former charity Object²². A further example is:

'It was not a "gentleman's" club and I failed to understand what was so gentlemanly about an intoxicated man using derogatory language towards me, pestering me for sex and getting off on my naked body.'²³

¹⁹<http://www.sheffieldtelegraph.co.uk/news/no-wildcat-action-as-lap-dance-venue-in-sheffield-is-blocked-1-5454560>

²⁰<https://www.theguardian.com/world/2008/mar/19/gender.uk>

²¹*Stripped: The Bare Reality of Lap Dancing* by Jennifer Hayashi Danns with Sandrine Leveque

²²Stripping the Illusion: the Lap Dancing Industry Exposed. <https://www.youtube.com/watch?v=Cwg57pLJZUI>

²³*Stripped: The Bare Reality of Lap Dancing* by Jennifer Hayashi Danns with Sandrine Leveque (p.13)

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

"It's utterly degrading."

"No- one is the same after working in the industry. You get used to being treated as a second class citizen."

"It was the hardest work I have ever done, either physically, emotionally or mentally."

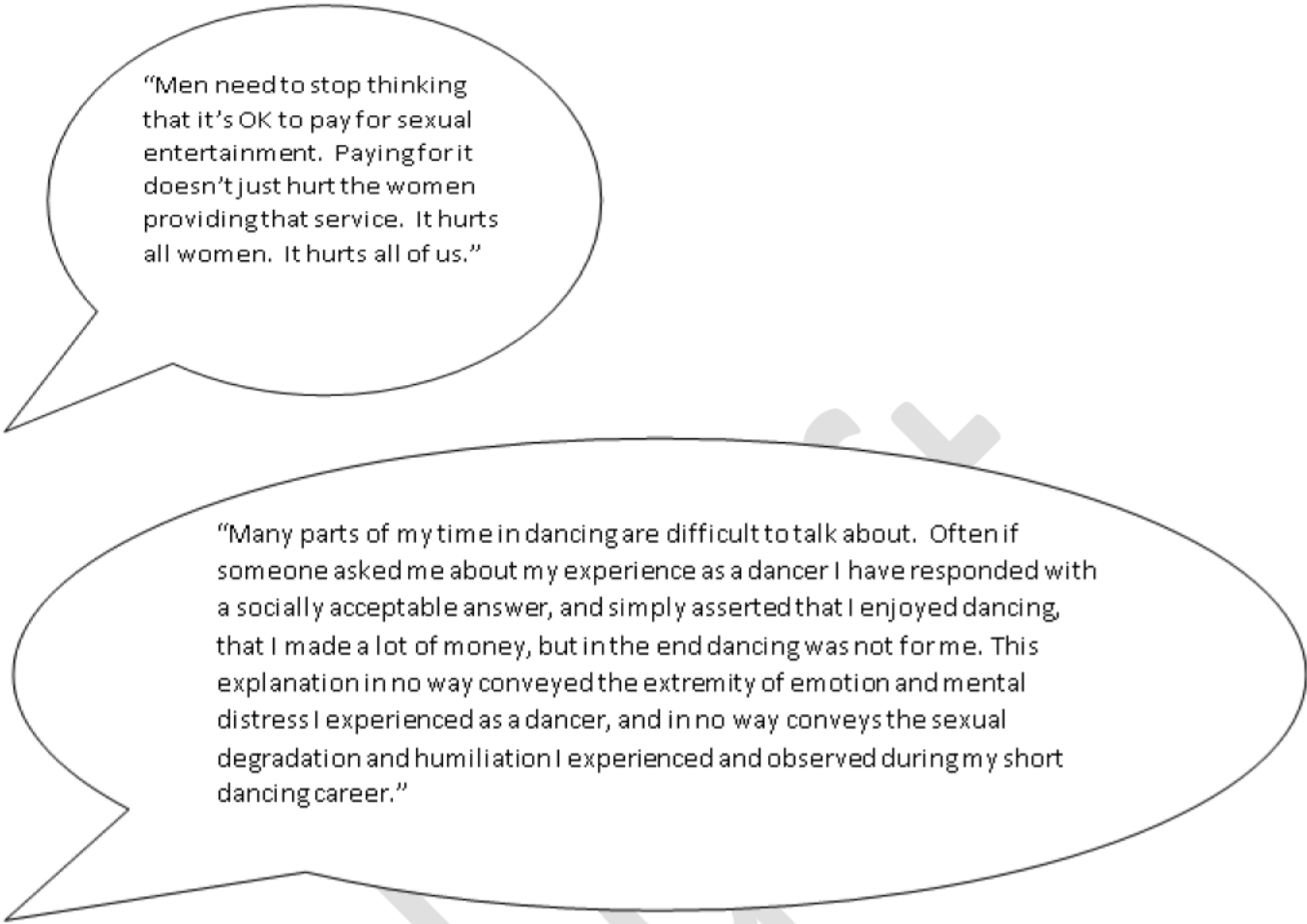
"It was dehumanising, soul destroying and filled with desperation."

"They wanted a bimbo who would be subordinate to them."

"We were encouraged to act like little girls, demure, submissive and dumb, which is what makes men part with money quickest."

"The strange thing about lap dancing is how things that would be unacceptable in real life become normal in the club."

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



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

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

Performers at the clubs are self-employed women, while others who work in SEVs (e.g. door staff) tend to have employment contracts with associated job security and privileges. Research shows that women who work in SEVs are subject to high levels of abusive behaviour by customers; research in the U.S. (Holsopple 1998)²⁴ found that 100% of the women working in lap dancing who were surveyed reported that they had experienced physical violence from customers. All the women had been sexually abused and verbally harassed in the club. Sanders & Hardy in 2011²⁵ highlighted how almost half the SEV workers interviewed in their UK study reported frequent verbal harassment and unwanted touching from customers (in other words, sexual assault)²⁶. However the reality is that this behaviour is frequently (a) tolerated/accepted and (b) not reported to the authorities. There are significant factors driving this toleration and non-reporting, including the financial incentive for performers to accept touching and other sexual contact, regardless of rules or their own feelings about it, in order to compete with other performers for custom in a context where they have to pay the SEV for the privilege of being able to perform, and such competition is driven by SEV managers arranging that there are more performers than customers. The Licensing Objective the 'Prevention of crime and disorder' is just that, and must not be interpreted as the 'Prevention of specific types of crime and disorder which are reported to the police and acted on by the police'. Of concern,

²⁴Holsopple, K (1998). Strip Clubs According to Strippers: Exposing Workplace Sexual Violence, available online at <http://www.uri.edu/artsci/wms/hughes/stripcl.htm>

²⁵Sanders, T., & Hardy, K. (2011). The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings. Leeds: University of Leeds

²⁶http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory_Dance/FINALSUMMARYJAN2012.pdf

in December 2016 it was reported that men are secretly filming performers and posting the videos online, both without their consent²⁷.

An example of how violence against women in clubs, in this case assault, remains under the radar is taken from the police log for a Bristol SEV in 2012:

'7/1/2011. AS-20110107-0050.

Council CCTV saw a male with blood on his face outside club. Police attended and door staff stated that the male had been touching the dancers. The male had then got behind the bar before being ejected from the club. The male refused to give any details about the incident. There were no allegations from either side so NFA was taken.'

Zero Option, via a Freedom of Information request to South Yorkshire Police, was informed that 33 incidents were reported between 2012 and 2016 with the words 'Spearmint Rhino' flagged up in a search of the South Yorkshire Police Incident Management System.²⁸ This appears somewhat to contradict what we have been informed at past Licensing Hearings for this SEV, when we were informed that there were no police incidents involving that SEV.

1.4 The impacts on relations between the sexes

The above views of sex workers about the punters axiomatically undermine gender equality and do not foster good relations between men and women. As former lap dancer Jennifer Hayashi Danns tells Kat Banyard 'the idea that the sex industry is sex-positive and liberal [is] an absolute joke' and that lapdancing clubs like the one she used to work in are 'just a manifestation of gender inequality.'²⁹ Danns also highlights the link between men's dehumanisation of women performers in SEVs which runs counter to any notion of gender equality that any Council, or indeed any official body, claims to promote: 'a sex worker describes punters who came straight from lap dancing clubs as unwilling to acknowledge that women were human or individual . . . There was a very aggressive 'pack mentality' and they would . . . make very degrading comments about the way that women looked.'³⁰

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

"I always thought of the customers as vermin and, ironically, that is what they thought of me."

"You start to see men as nothing more than their wallets, idiots to be fleeced for as much as you can. You start to despise them for believing you when you flutter your eyelashes and tell them they're the most interesting customer that you've ever talked to."

"It's screwed up my view of men. Every time I see a man now, I just see him as a punter. There's only so many bad experiences you can have before you start hating them all . . ."

²⁷<http://www.independent.co.uk/life-style/love-sex/lap-dancers-strip-clubs-hidden-cameras-videos-post-online-privacy-strippers-a7492036.html>

²⁸ 9th January 2017 Ref: 20170005

²⁹ Cited in Banyard, K. (2016: p. 140) *Pimp State: Sex, Money and the Future of Equality*. Faber and Faber, London

³⁰ Khaleeli, H. Guardian [online] *The truth about life as a lap-dancer*. 10th November 2011. Available from:

<https://www.theguardian.com/lifeandstyle/2011/nov/10/truth-lap-dancer-clubs>

In their UK study published in 2011 Sanders & Hardy³¹ reported that 30% of the women performers interviewed said that as a result of doing the job they had lost respect for men, a finding echoed in the testimonies of former performers and which is of relevance to the Council's duty under equality legislation to have due regard to the need to foster good relations between men and women.

As these posters on a Digital Spy forum thread about strip clubs observe³²

There are also numerous threads on Mumsnet discussing the impact on their relationships when women discover that their partners have been to an SEV.³³

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

1.5 The impacts on women's freedom of movement

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

'In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing club make women feel threatened or uncomfortable' (p. 87)

Kolvin continues with:

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

³¹Sanders, T., & Hardy, K. (2011). *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. Leeds: University of Leeds

³²<http://forums.digitalspy.co.uk/showthread.php?t=1464449>

³³See for example: [http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club](http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club;);
<http://www.mumsnet.com/Talk/relationships/1245716-DH-went-to-strip-club-last-night-3-dances-Am-I-stupid-naive-to-feel-so-sad-about-it> ; <http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club>;
<http://www.mumsnet.com/Talk/relationships/a1626235-Husband-had-a-lap-dance> ;
http://www.mumsnet.com/Talk/am_i_being_unreasonable/a2123339-Am-i-being-unreasonable-to-not-be-ok-with-my-husband-going-to-a-strip-club and <http://www.mumsnet.com/Talk/relationships/a1726433-Am-I-over-reacting-Strip-club>
(NB: this is a sample- there are a lot more discussions on this topic)

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

‘... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.’³⁴

This fear of crime [ie sexual violence] was expressed by a significant number of objectors to the Wildcats and Villa Mercedes 35 licensing applications and to previous Spearmint Rhino applications too.

2. Evidence that SEVs reduce equality and provide a conducive context for violence against women

Background

HM Government reports that there were an estimated 1.35 million female victims of domestic abuse in 2014 and nearly 450,000 victims of sexual violence³⁶. It states

‘Violence against women and girls is both a cause and consequence of gender inequality. We will continue to challenge the deep-rooted social norms, attitudes and behaviours that discriminate against and limit women and girls across all communities’³⁷

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

‘While crime in the night time economy has been falling steadily during the past years, we know that 36% of victims of serious sexual assault reported that the offender was under the influence of alcohol [Focus on Violent Crime and Sexual Offences: 2013/14]. We will continue to encourage local areas to prevent violence against women and girls in the night time economy...’³⁸

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

‘alcohol use intensifies the objectification of women in a manner that increases sexual violence risk’³⁹

Spearmint Rhino is located not only next to Sheffield Hallam University’s Student Union but it also backs onto student accommodation and actively promotes discounted student nights. Research in the UK has found alarming levels of sexual violence on university campuses⁴⁰.

³⁴ Patiniotis, J. & Standing, K. (2012) ‘License to cause harm? Sex entertainment venues and women’s sense of safety in inner city centres’ in *Criminal Justice Matters*, 88:1, 10-12.

³⁵ Patiniotis, J. & Standing, K. (2012) ‘License to cause harm? Sex entertainment venues and women’s sense of safety in inner city centres’ in *Criminal Justice Matters*, 88:1, 10-12.

³⁶ HM Government, *Ending Violence against Women and Girls Strategy 2016 – 2020* Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF

³⁷ HM Government, *Ending Violence against Women and Girls Strategy 2016 – 2020* (p. 16) Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF

³⁸ Ibid

³⁹ Gervais, S. J., DiLillo, D., & McChargue, D. (2014) “Understanding the Link Between Men’s Alcohol Use and Sexual Violence Perpetration: The Mediating Role of Sexual Objectification” in *Psychology of Violence*.

⁴⁰ Goldhill, O & Bingham, J. Daily Telegraph 14 Jan 2015 *One in three UK female students sexually assaulted or abused on campus: A Telegraph survey shows half of female undergraduates know someone who has suffered sexual assault or unwanted advances ranging from groping to rape*

On 5th March 2014 *The Independent* published findings of the Violence Against Women report by the *European Agency of Fundamental Rights* (FRA) highlighting how half of women in Britain admit they have been physically or sexually assaulted, higher than the 1 in 3 women from across Europe who will be a victim of violence in their lifetime.⁴¹

2008 research shows how domestic violence perpetrators who access the sex industry (pornography and strip clubs) use more controlling behaviours than those who do not.⁴² Coercively controlling behavior is the biggest risk factor for fatal domestic abuse and is now enshrined in legislation: Section 76 of the Serious Crime Act 2015 - Controlling or Coercive Behaviour in an Intimate or Family Relationship.⁴³ Furthermore, there is a wealth of practice - based evidence from the women's domestic abuse and sexual violence sector of women disclosing how their abusers access pornography, prostitution and strip clubs.

On average, two women per week are murdered by a former or current partner in the UK.⁴⁴ Karen Ingala Smith who created the Femicide Census recording murders of women by men writes:

'One of the most important things about the Femicide Census is that we look beyond intimate partner violence, to fatal violence from other male family members, from sons, from strangers, and including men who pay for sex. Doing this helps us see the bigger picture; identifying the commonalities across the different contexts of men's violence against women can help us see its root causes. This is essential if we're really serious about reducing men's violence against women and girls. Continuing to improve policing and justice responses is vital, but these alone won't bring about the reduction in men's violence against women that we want, if we don't change the attitudes and inequality that foster it.'⁴⁵

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

'it is known that at least 21 of the women killed had links to prostitution or pornography, and we think this will be an undercount. In my opinion, prostitution is financially compensated rape and prostitution and pornography are eroticised inequality. You can't have one sex overwhelmingly sold as a commodity and the other the purchaser, without sex inequality and without reinforcing that inequality.'⁴⁶

Violence against women and girls in Sheffield

There are on average 280,037 women and girls who live in Sheffield, which accounts for 51% of the population.⁴⁷ Statistics obtained from **VIDA** show:

- It is estimated that there are **up to 7,000 female victims of sexual assault** each year in Sheffield

⁴¹<http://www.independent.co.uk/news/uk/home-news/the-violence-epidemic-half-of-women-in-britain-admit-they-have-been-physically-or-sexually-assaulted-9169143.html>

⁴²Simmons, C. A., Lehmann, P. & Collier-Tenison, C (2008) "Linking Male Use of the Sex Industry to Controlling Behaviors in Violent Relationships: An Exploratory Analysis" in *Violence Against Women* 14

⁴³http://www.cps.gov.uk/legal/a_to_c/controlling_or_coercive_behaviour/#a01

⁴⁴Women's Aid <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/how-common-is-domestic-abuse/>

⁴⁵<https://www.theguardian.com/commentisfree/2016/dec/07/femicide-census-violence-against-women?>

⁴⁶Ibid

⁴⁷[https://www.google.co.uk/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-](https://www.google.co.uk/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=Sheffield+women+community+knowledge+profile)

[8#q=Sheffield+women+community+knowledge+profile](https://www.google.co.uk/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=Sheffield+women+community+knowledge+profile)

- 285 recorded rapes in 2014-15 / detection rate: 11%
- 277 recorded other sexual offences / detection rate: 19%
- Significant drop in detection rate for rape and other sexual offences, year on year, as reporting increases under reporting – an estimated 6,000 sexual offences crimes in Sheffield are not reported each year

South Yorkshire Sexual Assault Referral Centre [SARC] has seen a year on year increase in Sheffield cases [around 80% report to police]:

- 2012=174 cases; 2013=186 cases; 2014 onwards=200+ cases

Sheffield Sexual Exploitation Service

- 2014-15 received 260 referrals: 65 received 1:1 support
- 67 referred to Community Youth Teams for preventative work⁴⁸

The numbers of women accessing specialist domestic abuse services are 4,000, on average, across the helpline, outreach and floating support services, high risk IDVA service, refuge, and counselling and therapy services.

Figures published in *The Star*, a Sheffield newspaper, on 2nd January 2017 revealed that sexual offences reported in the city in 2015 (631) were 98% higher than in 2013 when 318 were recorded.⁴⁹ Figures obtained from South Yorkshire Police via FOI for reports of sexual offences between 2013 and 2016 highlight how, of Sheffield's 28 electoral wards the Central area is already disproportionately affected by sexual offences particularly rape and sexual assault (now accounting for nearly 20% of rapes of females 16 and over and sexual assaults on females aged 13 and over, in the whole city), and that this is a progressive trend so the centre is becoming less safe relative to other areas. Between 2013 and 2016 reports of these two offences (the most common sexual offences reported each year) in the Central ward increased from 29 to 80, an increase of 171%, whereas in the other 27 areas combined the reports increased from 162 to 340, an increase of 110%. This suggests that even allowing for an increased rate of reporting of offences, there is a real increase in these offences in the city centre.⁵⁰

It may be the case that there are those living and working in the city who are happy with the status quo of inequality between men and women and with the reproduction and promotion of this inequality which inevitably happens wherever an SEV is established. However, under the Public Sector Equality Duty, the Council has legal obligations to have due regard to the need to eliminate discrimination and harassment of women, and to advance equality of opportunity for women as well as to foster good relations between men and women. The Council needs to engage with these aims when developing its new SEV policy and to take advice from gender equality bodies accordingly. This representation and the evidence presented in it should assist the Council in fulfilling its aims under the PSED.

Joining up the dots: research and evidence

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

⁴⁸A Supporting Document for Domestic Abuse Commissioning in Sheffield [DACT, 2014]; Rape and Serious Sexual Offences [RASSO] Steering Group Reports

⁴⁹Article not available on line: *The Number of Sex Offences Being Reported in Sheffield has Doubled in Two Years, New Figures Reveal*.

⁵⁰FOI 20161515 11th January 2017

In a multinational study of male violence against women published in 2013 by the United Nations⁵¹, the most common motivation of men who have admitted to rape is the **belief that they are entitled to sex** even without the female partner's consent. This study interviewed 10,000 men and 1 in 4 had raped their wife, their partner or another woman. That is not an insignificant minority of men. Entitlement, which is the stock in trade of lap dancing clubs, is the main motivation given by men who rape. The most commonly identified attitudinal risk factor for men's sexual and domestic violence and coercion against women globally stems from gender inequality - a belief in the dominance of men, and their needs or wishes and bodies, over women.⁵²

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

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

Similarly, a post on Sheffield Forum about Spearmint Rhino stated:

'Fine females, like being in a butchers with prime rump on display'.⁵³

This is manifestly incompatible with the Council's gender equality duties.

A psychological research study published in 2014 which used male students as its study population concluded that the frequently documented association between heavy drinking and sexual violence is mediated by the extent to which men engage in sexually objectifying women. In other words, **'alcohol use intensifies the objectification of women in a manner that increases sexual violence risk'**⁵⁴. SEVs provide alcohol and encourage sexual objectification.

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



The sexual objectification of women, as encouraged by and practised in SEVs, acts to reinforce gender inequality⁵⁵.



Sexual objectification dehumanises women⁵⁶.

⁵¹<http://www.unwomen.org/en/news/stories/2013/9/half-of-men-report-using-violence-and-a-quarter-perpetrate-rape-according-to-un-survey>

⁵²Ricardo, C., Eads, M. & Barker, G. (2011). Engaging Boys and Men in the Prevention of Sexual Violence. Sexual Violence Research Initiative and Promundo. Pretoria, South Africa and Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. & Lang, J. (2013). *Why Do Some Men Use Violence Against Women and How Can We Prevent it. Quantitative Findings from the United Nations Multi-Country Study on Men and Violence in Asia and the Pacific*. Bangkok: United Nations Development Programme, United Nations Population Fund, United Nations Women and United Nations Volunteers.

⁵³<http://www.sheffieldforum.co.uk/showthread.php?t=1283563&highlight=spearmint+rhino&page=2>

⁵⁴Gervais, S. J., DiLillo, D., & McChargue, D. (2014, January 13). Understanding the Link Between Men's Alcohol Use and Sexual Violence Perpetration: The Mediating Role of Sexual Objectification. *Psychology of Violence*. Advance online publication. doi: 10.1037/a0033840

⁵⁵See for example the Home Office Sexualisation Review (Papadopoulos, 2010); Heflick & Goldenberg (2009); Heilman & Stopeck (1985); Nicolson (1996); Rudman & Borgida (1995).

⁵⁶Loughnan et al. (2010) *Eur. J. Soc. Psychol.* 40, 709–717 And see Appendix 1

Male domestic violence offenders using the sex industry use more forms of aggressive violence and more controlling behaviours than those who do not use the sex industry⁵⁷. After being exposed to images that sexually objectify women, men are significantly more accepting of sexual harassment, interpersonal violence, rape myths and sex role stereotypes – all of which act to reinforce gender inequality⁵⁸. Importantly, this increased acceptance of harmful attitudes is not confined to particular women but generalises to women as a group.

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

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

It reported that 61% of girls aged 11-21 have experienced people criticising their bodies (p7), 70% of girls aged 11-21 say sexism is so widespread it affects most areas of their lives (p9), 21% of girls aged 17-21 experience street harassment and 44% change their behaviour to avoid this. (p14).⁵⁹

Modern policy approaches to preventing violence against women and girls

Evidence-based research has now resulted in recommendations that the most effective way to reduce the prevalence of men's violence against women is to refocus on **community-level prevention**: that is, to change the cultural conditions which are facilitating men's belief that they are entitled to harass, abuse and violate women. These cultural conditions underpin the behaviour of individual men.⁶⁰

A culture of harm

SEVs promote harmful attitudes to women and run counter to promoting equality between women and men; we reiterate that these are not moral objections. SEVs reproduce and promote the prevailing financial and social inequality between women and men in our society, and they reproduce and promote the prevailing cultural assumption that women's bodies are objects to which men are entitled to have access. Citing examples of women accessing these

⁵⁷Simmons et al. (2008) *Violence Against Women* 14: 406

⁵⁸See the review of the American Psychological Association (2007) and see also for example Allen, D'Alession & Brezgel (1995); Lanis and Covell (1995); Zillman & Weaver (1989).

⁵⁹<https://www.girlguiding.org.uk/globalassets/docs-and-resources/research-and-campaigns/girls-attitudes-survey-2016.pdf>

⁶⁰Hester M., & Lilley, S.J. (2014) *Preventing violence against women: Article 12 of the Istanbul Convention*. Council of Europe, Strasbourg; Jewkes, R., Flood, M., & Lang, J. (2015). From work with men and boys to changes of social norms and reduction of inequities in gender relations: a conceptual shift in prevention of violence against women and girls. *The Lancet*, 385, (Issue 9977), 1580 – 1589; Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. & Lang, J. (2013). *Why Do Some Men Use Violence Against Women and How Can We Prevent it. Quantitative Findings from the United Nations Multi-Country Study on Men and Violence in Asia and the Pacific*. Bangkok: United Nations Development Programme, United Nations Population Fund, United Nations Women and United Nations Volunteers.

clubs as customers, as has been done, as though this implies gender equality objectives are being achieved illustrates a clear lack of understanding of equality issues.

There is evidence that women working in SEVs - and women encountering men who have been using SEVs - come to direct harm. Our argument is that in addition to the negative impacts on gender equality and individual women's fear of and experiences of male violence, SEVs are part of a wider culture of harm, which is addressed in Paragraph 1, Article 12 of the Istanbul Convention which Parliament voted to ratify in December 2016⁶¹:

'Parties shall take the necessary measures to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men'⁶²

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

'The purpose of Article 12 is to reach the hearts and minds of individuals to ensure changes in mind-sets, attitudes and beliefs towards women, their role and status in society, their sexuality, as well as women's agency. The ultimate aim is to change the behaviour of men and women, boys and girls, that is currently all too often influenced by prejudice, gender stereotypes or gender-biased customs and traditions, and that helps to perpetrate or condone violence against women (Article 12, paragraphs 1 and 2).'⁶³

The British Council 2016 response to the UN Sustainable Development Goals (SDGs)⁶⁴ also recognizes how

"Cultural platforms influence, shape and challenge the world through their stories, and stakeholders draw a clear link between stereotyped and sexist representations in dominant culture and the unfair treatment of women in society" (p.4)⁶⁵

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

'(3) In preparing a SEV policy statement, a local authority must—

(a) consider the impact of the licensing of sexual entertainment venues in their area, having regard, in particular, to how it will affect the objectives of—

- (i) preventing public nuisance, crime and disorder,
- (ii) securing public safety,
- (iii) protecting children and young people from harm,
- (iv) **reducing violence against women**, and

(b) consult such persons or bodies as they consider appropriate.'

5

We request that the Policy should also contain the need to consider the impact of licensing SEVs on the objective of reducing violence against women.

Sheffield's Sexual Entertainment Venue Policy context

⁶¹<http://www.independent.co.uk/news/uk/politics/anti-domestic-violence-bill-istanbul-convention-passed-mps-women-vote-parliament-fgm-latest-a7479256.html>

⁶²<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008482e>

⁶³ Preventing violence against women: Article 12 of the Istanbul Convention (2016) <https://edoc.coe.int/en/violence-against-women/7140-preventing-violence-against-women-article-12-of-the-istanbul-convention.html>

⁶⁴<http://www.un.org/sustainabledevelopment/sustainable-development-goals/>

⁶⁵ British Council research on gender equality and empowering women and girls in the UK: Meeting the challenge of the Sustainable Development Goals (SDGs): <https://www.britishcouncil.org/society/womens-and-girls-empowerment/gender-equality-uk>

Officers and members of the Licensing Committee will be aware that many Sheffield agencies, businesses and individuals concerned about gender equality and violence against women have expressed significant and ongoing concern about the presence of the current SEV in the city centre and the recent application for a new one, making representations in policy reviews and at Licensing Hearings, despite it being complicated, stressful and time consuming work and despite being unfunded to do so. Despite objections submitted from a variety of groups, local businesses and individuals regarding Spearmint Rhino's license renewal on an annual basis, the license has always been renewed. More recently in 2016, following 181 objections, Villa Mercedes withdrew its application for a new SEV on Suffolk Road.

Whilst not an SEV, in 2008 ASK developers withdrew its negotiations with Wings Over England over proposals to open a branch of Hooters in the then newly created Leopold Square, following a successful 'No Hooters' campaign. In 2013 Sheffield City Council refused planning permission for a Wildcats SEV following 165 objections.

Kolvin (p128, para 15.14) writes that in its policy as to numbers of premises in a particular locality, a local authority

'might state that in determining the correct number, it will attach particular weight to... gender equality considerations'.

At p. 125, para 15.3, he says:

'It would be helpful for the policy to state what are the overarching objectives of the authority in licensing sex establishments... This may include, for example, considerations of gender equality ... The policy might also establish how its aims cohere with other corporate aims of the authority... The idea is to give the reader a sense of what really matters to the authority in terms of its objectives, and how the policy sits within its wider aspirations for the area'.

Guildford's SEV policy, for example, states

'5.9 The Council has taken account of its own corporate strategies and priorities as represented by its Corporate Plan 2013-2016, Visitor Strategy and Economic Strategy. The council believes that, in taking these strategies into consideration, SEVs are not in accordance with a culturally rich and diverse Borough. In particular SEVs tend not to be inclusive facilities, appeal only to a narrow sector of the community and are unlikely to enhance the cultural reputation of the borough.'

Response from Zero Option

January 2017

3 LEGAL MATTERS

Background

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

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

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

They also note that:

'licensing authorities are entitled to 'have a fresh look' at an application for renewal of an SEV licence, and may refuse to renew even when there is no material change in circumstance.'⁶⁶

Guidance by human rights law expert Dr James Harrison, Director of the Centre for Human Rights in Practice at the University of Warwick, confirms that refusal to renew is not a breach of human rights law.⁶⁷

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

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

Basis for a 'Nil cap' resolution and the rights of Councils

The Council notes in the Policy that Article 1 of the first protocol of the ECHR cites that the Courts have held that a licence is a person's possession (p. 7).

⁶⁶http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=17968%3Alap-dance-no-more&catid=49%3Acomment-a-analysis-articles&Itemid=1

⁶⁷<https://coventrywomensvoices.wordpress.com/2011/09/23/sev-entertainment-venues-and-the-human-rights-act/>

The Council is asked to note that the introduction of a nil policy on the granting of SEV licenses is perfectly permissible under the LGMPA (1982), as amended by the PCA (2009). Indeed, the statute specifically contemplates this option. As Kolvin states

‘...the provision gives the authority a high degree of control, even amounting to an embargo, on sex licences or particular types of sex establishment, within particular localities. The width of the discretion is consolidated by the absence of any appeal against a refusal on this ground’⁶⁸ and further states ‘Where a rational decision has been taken by the licensing authority in accordance with the principle of the statute, it is most unlikely that the decision will be held to have been a disproportionate interference with human rights.’⁶⁹

The Home Office Guidance on SEV Policy refers to the question of the number of SEV establishments and states quite directly that **‘Nil may be the appropriate number’**. The Guidance goes on to state ‘Therefore, it is reasonable and potentially useful to future applicants, for a local authority to decide in advance of receiving any applications that certain areas are, or are not, appropriate locations for a sex establishment or a particular number of sex establishments’.

Judicial decisions have recognised the legitimacy of passing a ‘nil’ resolution in certain areas. Lord Neuberger of Abbotsbury stated in *Belfast City Council v Miss Behavin’ Ltd* [2007] UKHL 19

‘The reason put forward by the committee, as adopted by the council, for the nil determination for the Gresham Street locality, namely the proximity of certain public buildings and shops of particular attraction to children, and of places of worship, appears to me to represent a rational ground for making and adhering to a nil determination: indeed it is just the sort of assessment that a local authority is best able to judge’.

On the question of the extent of a ‘relevant locality’, there is no obligation to set clearly-defined boundaries, although this may of course be helpful to both potential applicants and objectors. *R v Peterborough City Council ex parte Quietlynn* 85 LGR 249 sets the presumption that a locality cannot be an entire town, city or local authority area. This decision does not however mean that a ‘nil’ resolution cannot be adopted for a town, city or other area providing that the assessment of the constituent parts indicates that a nil resolution is appropriate for each of them. This is an approach that has been taken by a number of other licensing authorities.

We believe that the following authorities have taken a ‘nil’ approach:

- Nil cap: London – Bromley Town; City of London; Enfield; Haringey; Harrow; Hounslow; Richmond; Havering⁷⁰; Camden⁷¹
- Nil cap but with grandfather rights: - Newcastle⁷²; Coventry⁷³

⁶⁸ Kolvin, P. (2010) Sex Licensing, The Institute of Licensing (p.60)

⁶⁹ Kolvin, P. (2010) Sex Licensing, The Institute of Licensing (p. 82)

⁷⁰<https://www.havering.gov.uk/Pages/News/A-new-licensing-system-to-ban-unlicensed-sex-establishments-in-the-Borough.aspx>

⁷¹[www.camden.gov.uk%2Fccm%2Fcms-](http://www.camden.gov.uk%2Fccm%2Fcms-service%2Fdownload%2Fasset%3Fasset_id%3D2642539&usg=AFQjCNH5B48mhpCQgEVZi4c2O7DsYFBsw&sig2=OtilefOV83EEsY8gEYv4aA)

[service%2Fdownload%2Fasset%3Fasset_id%3D2642539&usg=AFQjCNH5B48mhpCQgEVZi4c2O7DsYFBsw&sig2=OtilefOV83EEsY8gEYv4aA](http://www.camden.gov.uk%2Fccm%2Fcms-service%2Fdownload%2Fasset%3Fasset_id%3D2642539&usg=AFQjCNH5B48mhpCQgEVZi4c2O7DsYFBsw&sig2=OtilefOV83EEsY8gEYv4aA)

⁷²https://www.newcastle.gov.uk/sites/default/files/wwwfileroot/business/licences/sev_policy_4_4_12.pdf

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- Nil cap: North Tyneside (all 8 SEVs to close⁷⁴); Swansea⁷⁵; Winchester⁷⁶; Exeter⁷⁷; Warwick⁷⁸

The authoritative guide *Sex Licensing* by Phillip Kolvin QC states (p129, para 15.15)

'One option for policy is to state that the appropriate number in a particular locality is zero and that the policy is intended to be strictly applied, except in genuinely exceptional circumstances. The policy ought to justify such a course, for example by reference to the status of the locality as a ...residential area... Of course, an authority may not reject an application without considering it, even where it breaches a zero policy.'

Kolvin also states (p127, paras 15.10 and 15.11):

'Lord Reid had said that an authority may evolve a policy so precise that it could well be called a rule; and there could be no objection to that provided that the authority was always willing to listen to anyone with something new to say. ... In other words, there is no rule against closed policies - the rule is against closed minds.'

We have observed that a number of local authorities have designed appropriate forms of wording for their nil cap policy and provide three examples below

- *Swansea*: 'While each application will be dealt with on its own merits, this policy gives prospective applicants an early indication as to whether their application is likely to be granted or not and creates a presumption that that any application for a sex establishment outside of the city centre area and any application for a sex entertainment venue in the city centre area will normally be refused. It also provides prospective applicants with details of what is expected of them should an application be made.'
- *Coventry*: 'The Council has conducted a widespread public consultation on a proposed nil policy for the city. The majority of respondents agreed that there is no locality in Coventry of which it can be said that SEVs are appropriate. These considerations, among others set out in the policy, have led the Council to the clear opinion that there are no localities in Coventry in which it is appropriate to license a Sexual Entertainment Venue. This does not prevent individuals from applying for a Sexual Entertainment Venue Licence and each application being considered on its merits by the Licensing & Regulatory Committee.'
- *Winchester*: 'The Council's vision is to achieve balanced, sustainable communities and neighbourhoods to enable a good quality of life for all. In consultation with its partners it has developed and adopted a number of strategies, policies and plans that set out how we mean to achieve this vision and it is the Council's view that the granting of sex establishment licences would undermine the said vision.'

Additional considerations

It is important to note that there is no evidence at all that the activity currently licensed in SEVs (i.e. not prostitution but nude sexual performance) would 'go underground' if councils did not renew or award licenses to SEVs or that 'occasional' (unlicensed) performances would increase in number as though there were an inevitable fixed market for striptease. The Council is asked to note strip clubs (along with the purchase of sex and hardcore pornography) were banned in

⁷³http://www.coventry.gov.uk/downloads/file/8505/sexual_entertainment_venue_policy

⁷⁴http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=521816&p_subjectCategory=

⁷⁵<http://www.bbc.co.uk/news/uk-wales-south-west-wales-20178698>

⁷⁶<http://www.winchester.gov.uk/licensing/sex-establishment-licence/>

⁷⁷<https://exeter.gov.uk/media/1423/sex-establishment-policy-aug-2015.pdf>

⁷⁸https://www.warwickdc.gov.uk/download/downloads/id/171/sex_establishment_licensing_policy

Iceland in 2010 and the country ranked 1st place in the Global Gender Gap Report in 2012⁷⁹ and has consistently remained so until 2016.⁸⁰ It is believed that the country will be the first to close its gender pay gap completely.⁸¹ Whereas the UK is slipping down the international league table on gender equality. In 2006, Britain was 9th in the World Economic Forum's gender equality league table. We currently rank 48th in the world for women's representation in parliament, and at the current rate of progress it will take 62 years to close the gender pay gap.⁸²

The aforementioned UK study undertaken in 2011 found that the industry was fuelled by the supply of performers, not by a demand for performances. Further research supports the success of policy approaches that reduce demand for the trade in sex by acting on supply: levels of demand for the trade vary between countries, over time and according to the cultural and legal context. Here in the UK the number of men who pay for sex doubled during the 1990s along with the growth in numbers of SEVs, with the rate increasing from one in 20 men to nearly one in 10 men. If demand can grow, it can also shrink. And that is exactly what countries like Sweden and Norway have shown through their adoption of the Sex Buyer Law, which criminalises the buyer only.

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

Research conducted by the Child and Woman Abuse Studies Unit at London Metropolitan University with 137 men who paid women for sex found 'the accounts of men who had paid for sex overseas confirm that legality contributes to normalisation, which in turn increases the likelihood of paying for sex.'⁸³ In the context of SEVs a local authority policy that permits the licensing of SEVs contributes to normalisation in the same way which directly contradicts the Council's statement in the Policy that it wishes to work to combat the normalisation of the objectification of women.

Guildford's nil cap policy makes reference to performers, stating that it 'recognises that a nil per locality policy may reduce the employment opportunities for dancers. However it also recognises that those working in SEVs are often peripatetic and self-employed and will retain the opportunity to find employment as performers in other venues in Surrey or in other roles in the entertainment industry.'⁸⁴ We support this acknowledgement of the potential impact on performers of a nil cap policy but we suggest that should Sheffield wish to make a similar reference, it should not assume or judge that those who are currently working as performers are restricted to future work in the entertainment industry alone.

We also draw the Council's attention to the City's *Alive After Five* initiative⁸⁵ and the transformation of a former SEV in Bristol into a thriving and successful tapas bar which has a far

⁷⁹<http://www.aljazeera.com/indepth/opinion/2013/04/20134274739879996.html>

⁸⁰<https://www.theguardian.com/lifeandstyle/2016/oct/24/iceland-best-place-to-be-women-equal-gender-maternity>

⁸¹<https://qz.com/597278/iceland-could-be-the-first-country-to-close-its-gender-gap-completely/>

⁸²<http://www.fawcettsociety.org.uk/wp-content/uploads/2017/01/Sounds-Familiar-January-2017.pdf>

⁸³From the website of End Demand: <http://enddemand.uk/about/frequently-asked-questions/>

⁸⁴<https://www.guildford.gov.uk/sevlicence>

⁸⁵<http://www.sheffafter5.com/>

wider client base than an SEV and is contributing to the local economy more so than its predecessor.⁸⁶

4 Further considerations for the Council to address SEVs are part of the sex industry

The Council states that it:

'does not take a 'moral' stand on adopting this policy or when determining applications under 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 Council's role through its Licensing Authority to administer the licensing regime in accordance with the law.' (para 6, p.1)⁸⁷

As Object (nd)⁸⁸ states:

'any industry that markets women as sexual objects and which promotes working practices that implicitly encourage men to expect and seek sexual services is part of the sex industry, not the leisure industry. These working practices include a requirement that women pay rent to work and a high performer to customer ratio which leads to intense competition between performers to gain the attention of male customers. It is within this context that women report feeling pressured to provide extra sexual services in private booths to earn a wage.'⁸⁹

6

We request that the Council should note SEVs are not part of the retail and leisure industries; they are part of the sex industry and the Policy should be amended accordingly.

The Council, under the heading *Public Health* of the Policy (p. 19), states that it encourages license holders to make available literature on sexual health and the prevention of STIs. This sounds not too dissimilar to the double standard late 19th century Contagious Diseases Acts⁹⁰ and we question why it is felt that there is a need to promote sexual health if sexual contact with customers is not permitted.

We note that here are numerous public fora where men post asking which SEVs offer 'extras' which reinforces the fact that SEVs are indeed part of the sex industry.⁹¹ Furthermore, there is a number of SEVs which have been found to be in breach of the 'no contact rule.'⁹² There are

⁸⁶Communication with Bristol Fawcett Society

⁸⁷https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf

⁸⁸<http://www.notbuyingit.org.uk/sites/default/files/Fact%20Sheet%20on%20Lap%20Dancing.pdf>

⁸⁹ One former dancer told Kat Banyard that "it's the only job I've ever had where some nights I could end up paying to be there." (The Equality Illusion 2010)

⁹⁰<http://herstoria.com/?p=459>

⁹¹ See for example, UK Punting: lap dancing clubs with extras: <https://www.ukpunting.com/index.php?topic=22378.0>

⁹² See for example: Angels in Leicester <http://www.leicestermercury.co.uk/lap-dancing-club-angels-refused-licence-strippers/story-28503932-detail/story.html>; Wiggle in Bournemouth:

http://www.bournemouthecho.co.uk/news/10786993.Lap_dancing_club_could_lose_licence_after_staff_get_too_close_to_customers_/; Villa Mercedes in Harrogate: <http://www.harrogateadvertiser.co.uk/news/crime/harrogate-strip-club-villa-mercedes-loses-licence-after-allowing-audience-participation-1-7577997>; Spearmint Rhino in Bournemouth:

http://www.suttonguardian.co.uk/news/11471476.Lap_dancing_club_investigated_after_dancers_allegedly_breach

also numerous publicforums with posts by men boasting about sexual contact with strippers in clubs as illustrated below:

93

And tweets like the one below which are laden with sexual innuendo:

no_touch____rules/ ; Temptations in Bristol: <http://www.bristolpost.co.uk/bristol-club-fined-lap-dancers-far/story-19690487-detail/story.html>; to name a few.
93<http://forums.bluemoon-mcfc.co.uk/threads/how-to-get-over-a-girl-i-love-loved.320160/page-15>



Spearmint Rhino @RhinoSheffield 6d
Spearmint Rhino this week, are you coming?



7

Is the display of sexual health literature good practice and a requirement across the leisure and retail industries?

If sexual contact is prohibited under SEV legislation then why is there a need for this literature to be made available?

Part 14 of the Policy – Location of the Premises/Vicinity (p. 11)

8

We request that SEVs should not be permitted in the vicinity of a Cultural Hub/cultural facilities or near schools or other areas of education

We note that in the table provided to WEP by the Council, in column two in response to the question “Should there be a restriction on where premises can be located?” one summary states: “Yes, Not in residential areas. Not in City Centre or main shopping districts. Not near schools, religious establishments, NHS and support centres. Not near cultural facilities, social hubs, places where women mainly frequent, public leisure facilities and parks.” We know that a group one of our members attended listed a far more comprehensive list than this which included student accommodation and industrial estates. The Council states in the 3rd column that this is “accepted” yet is clearly not the case in the Policy.

We recommend that the Council provides a more detailed breakdown of responses than that which was provided to WEP, for example in the same format that Leeds City Council provided following its consultation.⁹⁴

9

The Council is asked to address why it has not included “Cultural Hub” in the new Policy draft although it is included in the current SEV Policy as per the current policy and as stated in the table summarizing feedback from the workshops.

⁹⁴<http://www.leeds.gov.uk/docs/Sex%20establishment%20licensing%20policy.pdf>
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We also strongly recommend that the Council considers adopting a more inclusive list of premises in the vicinity of which SEVs are not appropriate, as Guildford and Camden have done. Both areas refer to “cultural facilities” which the Council has omitted from its Policy.

Guildford SEV Policy⁹⁵:

‘5.11 The council believes that the types of premises listed below are sensitive and that SEVs are generally not appropriate near them:

- Schools **and other areas of education**
- Play areas/parks
- Youth facilities
- Residential areas
- Women’s refuge facilities/ rape and sexual assault counselling venues
- Family leisure facilities such as cinemas, theatres and concert halls
- Places of worship
- Places used for celebration or commemoration
- **Cultural leisure facilities** such as libraries, museums
- Retail shopping areas
- Historic buildings
- Hotels’

Camden SEV Policy⁹⁶ notes that SEVs are not appropriate in the vicinity of:⁹⁷

- schools or other facilities frequented by children such as playgrounds and playgroups
- **cultural facilities** such as museums, theatres and cinemas
- facilities frequented primarily by women such as well woman clinics
- places of worship
- public leisure facilities such as leisure centres, parks and open spaces
- community buildings such as community centres, libraries and drop in centres
- places used by vulnerable persons such as hostels and other adult social care facilities
- residential premises
- hospitals and other medical facilities
- other sex establishments

Leeds SEV Policy – “The consultation with the Citizen’s Panel revealed that a majority of residents in Leeds consider that SEVs are inappropriate in the vicinity to premises with particular sensitive uses. The following uses all scored highly:

- Schools and other areas of education
- Play areas/parks
- Youth facilities
- Residential areas
- Women’s refuge facilities
- Family leisure facilities such as cinemas, theatres and concert halls
- Places of worship
- Places used for celebration or commemoration
- Cultural leisure facilities such as libraries, museums
- Retail shopping areas
- Historic buildings”

⁹⁵ <https://www.guildford.gov.uk/sevlicence>

⁹⁶ <https://www.camden.gov.uk/ccm/content/business/business-regulations/licensing-and-permits/licences/sex-establishment/sex-shop-and-sex-cinema-licence/?page=2>

⁹⁷ <http://www.leeds.gov.uk/docs/Sex%20establishment%20licensing%20policy.pdf> (pp.19-20)

Part 14 of the Policy, Section (f) (p.11)

We also contest Part 14 of the Policy, Section (f) which identifies proximity to predominantly residential as making a location inappropriate for a SEV but expressly excludes proximity to 'mixed use' areas as rendering a location inappropriate. This blanket policy prevents the Council from taking account of an area having an increasing amount of residential use - even 50% - in determining the inappropriateness of one or more SEVs being located nearby. This is an unlawful fettering of the Council's discretion.

10

The Council is asked to include areas of mixed use as being inappropriate vicinities for a SEV as they are part residential and thus inappropriate sites for SEVs.

Age limit for proximity to under 16s facilities (p. 11)

We argue that the age limit for proximity to under 16s facilities should be increased to from 16 to 18, in line with the minimum age for being a license holder being 18 as is the minimum entry age to be a customer of an SEV. This is also in line with the *Working Together to Safeguard Children 2015* definition of a child as "anyone who has not yet reached their 18th birthday."⁹⁸ It should also be noted that reforms to special educational needs has resulted in the introduction of a system introduced which is designed around the needs of children and will support them up to the age of 25.⁹⁹

Moral, Vexatious, Frivolous or Repetitious Objections (p.12)

Part 17 of the Policy states that no weight will be given to objections on moral, vexatious, frivolous or repetitious grounds.

11

We strongly object to this caveat and request that it is removed.

It implies that template letters of objection cannot be used. There is nothing in the legislation that states this. It is anti-democratic and appears to effectively silence the voice of citizens. It also raises the issue of what constitutes a moral objection.

To define as not just worthless but actively vexatious a body of opinion that expresses agreement with objections to council policy is an outrageous assault on citizen's rights to express a democratic view.

Affirmative statements of agreement from Sheffield citizens surely must be taken into consideration by a democratically elected Council. It places an exceptionally high burden on citizens to ensure that unless their objection is expressed in unique terms it will not just be discounted but will be regarded as vexatious and troublemaking.

This is discriminatory against people who have difficulties composing written objections but who wish to make clear that they agree with objections expressed by others. It is at odds with the Sheffield equalities framework which specifically encourages an open dialogue with the citizens of Sheffield. It is at odds with the Public Sector Equality Duty which expressly requires public bodies to promote equality of opportunity by amongst other things encouraging persons who

⁹⁸https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf

⁹⁹'New changes to the law to give greater protection to vulnerable children.' www.gov.uk 2014

share a protected characteristic (marginalised and disadvantaged groups) to participate in public life and other areas from which they tend to be excluded.

It also implies that making the same objection each year on the same grounds is not permitted, whereas in fact Kolvin states:

‘Given that there is potential for the discretion to be exercised afresh, the [license] renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.’ (p. 90)

Part 23 – Transfer of License (p.15)

We recommend that the Council has a section on ‘license renewal and adheres to the following opinion expressed by Kolvin:

‘Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.’ (p. 90)

Part 25 – Hearings (p. 25)

This refers only to applicants having the opportunity to appear before the Licensing Committee.

12

We request that objectors should also have the opportunity to appear before the Licensing Committee.

Furthermore, given a previous Licensing Hearing when a witness statement was not shared with objectors.

13

We request that the Policy should include a declaration of a commitment to following an open and transparent process during licensing procedures, including the sharing of any applicant witness statements. Ideally these should be available when Notices are made public regarding license applications and renewals.

Other issues

Section 141 of the Licensing Act 2003¹⁰⁰ makes it an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises. In light of the recent case of Gil David who it is reported claimed that Spearmint Rhino had "exploited" his drunkenness and stated 'I wasn't in control of my faculties and didn't realise what I was spending.' He added "I was coerced into spending a third of my salary in five hours."¹⁰¹ The Council may also wish to note that this is not the only claim of exploitation at this venue.

Summary

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

Whilst there has been a steady mainstreaming and normalisation of the sexualisation and objectification of women, we are also experiencing a cultural shift with many in society rejecting these values as illustrated by recent successes in the *No More Page Three*¹⁰², *Lose the Lad Mags*¹⁰³ and *Banknote*¹⁰⁴ campaigns.

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

¹⁰⁰http://www.cps.gov.uk/legal/l_to_o/licensing_of_alcohol/#introduction

¹⁰¹<http://www.bbc.co.uk/news/uk-northern-ireland-30013478>

¹⁰²https://en.wikipedia.org/wiki/No_More_Page_3

¹⁰³<https://www.theguardian.com/media/2015/nov/17/fhm-zoo-magazines-suspend-publication>

¹⁰⁴<https://www.channel4.com/news/jane-austen-banknote-money-bank-of-england-carney>






'There is a strong bedrock of support for equality between men and women – in 2016 it's time to speed up the pace of change and ensure we aren't waiting another 150 years to achieve it.'(p. 2)¹⁰⁵

This, combined with growing evidence that many men are eschewing the traditional stag night strip club outing and the growing number of license refusals¹⁰⁶ and nil caps being adopted by local authorities, indicates that strip clubs are increasingly being recognised and understood to be sexist and antithetical to gender equality and the Public Sector Equality Duty.

As such, we urge the Council to respond to the growing body of research evidence about the harmful impact of SEVs and to be part of this change thereby demonstrating its avowed commitment to 'reduce the normalisation of the sexualisation and objectification of women, avoid exploitation of women and to promote healthy sexual practices.' (para 9, p.1)¹⁰⁷

This document was agreed by all Zero Option members and all those listed on pp.5-6 support our response.

Zero Option is a local campaign group whose aims are:

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

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

Acknowledgements

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

¹⁰⁵<http://www.fawcettsociety.org.uk/wp-content/uploads/2016/01/Sex-equality-state-of-the-nation-230116.pdf>

¹⁰⁶<https://sevlicensing.wordpress.com/about/> see also Eden Lounge Exeter <http://www.exeterexpressandecho.co.uk/exeter-strip-club-eden-lounge-loses-licence/story-27522405-detail/story.html>

¹⁰⁷https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf

Final draft

From: [REDACTED]
To: [licensing@sev.org.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 20:46:50

Introduce a policy for ZERO strip clubs in Sheffield 1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate. 2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping). It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place. Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard. 3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club'). 4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to? 5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 21:07:34

Dear Licensing please introduce a policy for ZERO strip clubs in Sheffield -

1. On the basis of locality.

There is no location where it is appropriate for a strip club to operate.

2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras (such as Camden Spearmint Rhino), extensive 'secret Council spot checks', codes of conduct and signed testimonies from all staff swearing strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

Ignoring all this will yet again put the Council at risk of Judicial Review in the courts.

3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (even if this means removing 'viewing galleries' from this 'swingers club').

4. It is concerning that you are consulting on your strip club licensing policy when an investigation into extreme levels of sexual contact in your one current strip club has not yet been concluded. Why have calls for an extension to this consultation apparently not been listened to? Consulting on this policy before an outcome has been reached - *and publicised* - again puts the Council at risk of legal challenge.

5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation? This yet again puts the council needlessly at risk of yet another Judicial Review.

Thank you

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 21:41:11

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').
4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?
5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

Kind regards [REDACTED]

Sent from my Samsung Galaxy smartphone.

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 21:47:52

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').
4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?
5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 08 September 2019 14:48:11

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate or monitor strip clubs or to comply with this legislation

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other

Strip clubs are also intimately linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs)
4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and SEV and Equality law . This must be done by those harmed by the industry or their advocates – clearly the only reliable source of information
5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut

Sent from my iPad

From: [REDACTED]
To: [licensing@sheffield.gov.uk](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 21:50:16

[REDACTED]

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').
4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?
5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?
6. One would hope that Sheffield Council would be proud to develop a policy which made it clear that women are not in any way a commodity to be bought by men.

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 01 October 2019 17:47:47

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

Strip clubs are also inextricably linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and God knows how many unreported assaults.
4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and on SEV and Equality law. This must be done by those harmed by the industry or their advocates – the only reliable source of information
5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 03 July 2019 23:12:53

is Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance with any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras (like Spearmint Rhino, Camden), extensive 'secret Council spot checks', codes of conduct and sworn statements from all staff testifying to strict compliance to licensing conditions, are actually operating as forms of brothels where sexual contact and sex acts are standard. You could yet again face legal challenge for failing to take this into account.

3. Stop licensing 'Swingers Clubs' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'Swingers Club').
4. It is concerning that you are consulting on your strip club licensing policy when an investigation into extreme levels of sexual contact in your one currently licensed strip club has not yet been concluded - or the findings publicised. Why have calls for an extension to this consultation not been listened to? This again puts you at risk of legal challenge.
5. Equally concerning, the draft policy you are consulting on is the same one that the Council has already conceded in the High Court is breaching equality law. Why has this same draft been put out again for consultation? Again, this puts you at risk of legal challenge.

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 04 July 2019 01:57:08

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance with any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras (like Spearmint Rhino, Camden), extensive 'secret Council spot checks', codes of conduct and sworn statements from all staff testifying to strict compliance to licensing conditions, are actually operating as forms of brothels where sexual contact and sex acts are standard. You could yet again face legal challenge for failing to take this into account.

3. Stop licensing 'Swingers Clubs' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'Swingers Club').
4. It is concerning that you are consulting on your strip club licensing policy when an investigation into extreme levels of sexual contact in your one currently licensed strip club has not yet been concluded - or the findings publicised. Why have calls for an extension to this consultation not been listened to? This again puts you at risk of legal challenge.
5. Equally concerning, the draft policy you are consulting on is the same one that the Council has already conceded in the High Court is breaching equality law. Why has this same draft been put out again for consultation? Again, this puts you at risk of legal challenge.

Yours sincerely

[REDACTED]
Sent from my iPad

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 14:53:02

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs).

4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy.

5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information.

6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.

7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]
Sent from my iPad

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 04 July 2019 09:20:30

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
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Even clubs with 63 CCTV cameras (like Spearmint Rhino, Camden), extensive 'secret Council spot checks', codes of conduct and sworn statements from all staff testifying to strict compliance to licensing conditions, are actually operating as forms of brothels where sexual contact and sex acts are standard. You could yet again face legal challenge for failing to take this into account.

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5. Equally concerning, the draft policy you are consulting on is the same one that the Council has already conceded in the High Court is breaching equality law. Why has this same draft been put out again for consultation? Again, this puts you at risk of legal challenge.

Sent from my iPad

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 04 July 2019 09:31:42

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.
2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

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5. Equally concerning, the draft policy you are consulting on is the same one that the Council has already conceded in the High Court is breaching equality law. Why has this same draft been put out again for consultation? Again, this puts you at risk of legal challenge.

Moreover, strip clubs promote the idea that women are sex objects and research shows this feeds into attitudes that cause men - and women - to buy into rape myths, be less supportive of women's equality and be more likely to perpetrate sexual violence - in workplace, in street and in relationships. Girls and women in the area feel threatened and hurt by the presence of the club and the men going in and out. All women are prone to this sense of being secondary citizens.

Yours sincerely,

[REDACTED]

From: [Heather Harvey](#)
To: [licensing@service](#)
Subject: RE: Public Consultation: Sex Establishment Policy - EXTENSION TO DEADLINE FOR COMMENTS
Date: 04 July 2019 11:59:54
Attachments: [POLICY DRAFT FOR CONSULTATION sheffield.docx](#)

Please find some comments attached on the track changes – please also note that neither document refers to specialist services such as

- Specialist and independent Violence against women services
- Specialist and independent Exiting prostitution services
- Specialist and independent Domestic violence services
- Specialist and independent Rape crisis services
- Specialist and independent BME women's services

All of which should be included in consultees, referral points, general information as so much sexual harassment, sexual assault and rape and broader demeaning, objectifying and discriminatory behaviour is associated with such venues

- Also please note that neither document addresses the context of such venues and the research that shows that men who use prostitution, pornography and sex industry have higher tolerance for rape myths and misogynistic attitudes and higher levels of involvement in crime, deviant behaviour and domestic violence
- Also please note that neither document references the research on men who buy sex and their attitudes to women in the sex industry
- Also please note that neither document references the increase in general crime, anti-social behaviour, drugs, weaponry, prostitution, trafficking and sexual exploitation that materialises when you have a normalising and legitimising culture around such venues and activities

Heather Harvey

Heather Harvey
Research and development manager

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

Licensing Service

DRAFT DOCUMENT FOR CONSULTATION 15/4/2019 TO 5/7/2019

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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.

Comment [HH1]: very leading, blanket and unrepresentative opening sentence. It may be that such establishments are viewed positively by some of the, mainly men, who use them but I can assure you that they are not viewed positively by many others. Actually viewed as discriminatory, objectifying, demeaning and a major negative, detraction, seedy, unsafe and unpleasant facility by others who live and work near them. Not something they want their town known for, not the sort of "tourists" and "visitors" we wish to attract. This is particularly so for women who often have enhanced fear and discomfort around such venues. They actively contribute to the limitations women place on themselves about accessing public space especially at night and hence are discriminatory.

Comment [HH2]: the acceptance and normalisation of such venues and activities encourages and normalises objectification, prostitution, trafficking, sexual harassment and other forms of violence against women. Women have been hardest hit by the cuts and there are endless stories of women being forced into prostitution and exploited, including by landlords and loan sharks, in order to make ends meet – normalising these venues normalises exploitation and inequality.

Comment [HH3]: and to the international legal standards which have informed these domestic pieces of legislation such as UN convention on elimination of discrimination against women (article 6) and Council of Europe Convention on action against violence against women and domestic violence (also known as Istanbul Convention), both of which signed by UK and CEDAW ratified and Istanbul on point of ratification. Both of which require states parties to challenge demand for sexual exploitation, prostitution and trafficking and to proactively address attitudes to women – sex venues consequently contrary thereto.

Comment [HH4]: There is substantial research to show that those men who use prostitution, pornography and related sexual services have a higher tolerance for rape myths and misogynistic attitudes and "deviant" or "Offending behaviour". There is also some suggestion that there are increased levels of sexual harassment in and around sex establishments. Consequently, inherently contradictory to support sex establishments while claiming to uphold rights and safety of people affected. For instance, imagine a woman working in such a venue who is raped/sexually assaulted after work on her way home – the only questions at any trial if that gets that far will be what she wore, what she does, what she drank etc she will not get justice. It is a conducive context for rape, sexual harassment and sexual assault with impunity for perpetrators.

Part 3 – CONSULTATION ON THIS POLICY

This policy is subject to a 12 week consultation.

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.

Comment [HH5]: it s not about the locality – it s about the inherently discriminatory and harmful nature of the concept and context.

“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.

Comment [HH6]: as above

“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.

DRAFT DOCUMENT FOR CONSULTATION 15/4/2019 TO 5/7/2019

“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]: lap dancing; 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.

Comment [HH7]: As above – such venues and activities are inherently discriminatory, degrading, objectifying and contribute to actual and perceived lack of safety and equality of access to public spaces and to justice.

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.

Comment [HH8]: If I work in such a place I am exposed to increased risk of sexual harassment and assault and even rape. If, as such a worker, I try to report it and get justice for it, it will be my work and presentation in such venues that is scrutinised and will mean CPS for instance think not a realistic chance of a prosecution and so I won't get justice. If I, as a woman, live or work near such a venue and need to pass it for work or leisure, I risk curtailing and limiting my movements and incurring costs and inconvenience as I fear for my safety (whether that fear is founded or not – it's a real fear and perception) either not going there, taking a longer or different route, depending on a third party to accompany me and/or I risk incurring increased costs as I may end up having to pay for a taxi etc. If my male work colleagues choose to go to this venue for their after works drinks, Christmas celebration, informal meetings and chats – I am excluded as I feel unsafe and unwelcome – this has an impact on my ability to equally participate at work. If my colleagues/family are regularly using such venues this makes me feel degraded, demeaned and objectified and it is harmful to my relationships and respect. There are endless equalities implications of normalising and legitimising such venues and conduct.

Comment [HH9]: I can't move around freely at will and feel safe. My family and I can't move around freely and feel safe. Such venues contribute to discrimination, inequality, demeaning and objectification of women. See art 6 of CEDAW re obligation on state to challenge exploitation of women and girls not to facilitate it. See Istanbul convention re challenging demand for violence against women and providing adequate and proportional services for women victims of violence – are you investing in specialist women only and some safe spaces, refuges and women's services and rape crisis? If a bloke feels the desire to get off and see women objectified and demeaned – he has the privacy of his bedroom, 2 hands and a television whilst sadly pornography is still so widely available.

Comment [HH10]: See Farley – "comparing men who buy sex with those who don't", and see interviews with met police commander – men who buy sex and use porn have higher tolerance for rape myths, misogynistic attitudes and broader criminal and deviant behaviour. See Cho and Dreyer – legalised regimes re prostitution increase prostitution and trafficking. See Sweden impact of nordic model – major change in attitudes to buying and selling of sex such that now deemed abnormal and unacceptable. See Camden director of health highlighting increased sexual harassment and assaults in and around sex establishments (may not be causal but relevant), see numerous studies highlighting that trading in sex sits alongside other harmful crime – drugs, sexual exploitation and abuse, trafficking, weapons, crime. See Netherlands and Germany both majorly backtracking on and regretting normalising a sex industry.

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.

Comment [HH11]: This is unduly restrictive but I would refer you back to the wider principles that the activities within and around such venues cause discrimination in that they cause (particularly for women) fear, exclusion and limitations on rights to enjoy and access public space, move freely and safely, potentially access to justice if attacked. However if we have to make it about the vicinity etc – which is quite ridiculous – the vicinity will always be inappropriate – if it's a remote industrial estate on the edge of town then it's unsafe for the women who work in establishment and for others such as women who are night cleaners etc in the industrial estate, if it's in the town centre then it's interfering with peaceful enjoyment of property and expose children to sexual activity and possible harassment.

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.

Comment [HH12]: It would seem to us that owning and running such venues is in itself a form of violence promoting discrimination, inequality, exploitation – and such venues associated with prostitution, trafficking, drugs and other crimes. But no doubt we are extreme..... like many women for whom this whole industry is offensive, but don't mind us...!

Comment [HH13]: hardly credentials – the more they have experience of running such establishments, the greater the risk that they have been close to and turned a blind eye to, if not facilitated, sexual harassment, assault and exploitation – you must be aware that those who work in such establishments generally incur considerable costs and have to engage in sexual contact to top up their earnings (even if technically it says this is not allowed) and those who work there are not in a position to bring complaints.

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.

Comment [HH14]: shove it on an industrial estate out on the outskirts of town and you make it especially unsafe for anyone who has to go there whether as a cleaner for offices there late at night or as a worker in such a place.

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.

Comment [HH15]: how much are you setting aside to invest in supportive specialist independent women's services and in independent research capacity to monitor this. How does your methodology include ways to get real experiences of women working within these establishments and women who have recently left work in these establishments as it is very difficult to get a true picture of what goes on in them while working there. And you need specialist women only services, including exiting prostitution services, to be able to provide a safe space for women to open up and to get out and have better opportunities than being leered at and pawed over by inadequate men who get kicks out of seeing women demeaned and "in their proper place" – see Men who buy sex and related studies about attitudes of men towards women who sell sex and relatedly in sex industry – attitudes this facilitates.

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.

DRAFT DOCUMENT FOR CONSULTATION 15/4/2019 TO 5/7/2019

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,
- mental health;
- substance misuse; 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. Licence holders must have health and safety policy measures in place that reduce the risk of violence to staff.

Comment [HH16]: And violence against women - don't have to be a vulnerable adult or a child to be sexually harassed and assaulted..... especially when you work in one of these places.

Comment [HH17]: and violence against women services and exiting prostitution services and specialist women only safe spaces and rape crisis centres! All of which the local authority needs to be adequately and proportionately providing and funding as per Istanbul Convention.

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.

DRAFT DOCUMENT FOR CONSULTATION 15/4/2019 TO 5/7/2019

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.

Comment [HH18]: or specialist violence against women and girls services

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.

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 04 July 2019 16:56:47

Introduce a policy for ZERO strip clubs in Sheffield:

1. LOCATION:

There is no location where it is appropriate for a strip club to operate. This does not mean you cannot ever license a strip club as all applications must always be considered. It does however send a clear message that the Council does not believe they are appropriate anywhere in the city. In fact, this draft policy did originally suggest zero clubs were appropriate but was then amended to allow for an unlimited number of clubs. This alteration was referred to as 'aesthetic changes'.

2. HEALTH and SAFETY LEGISLATION; EQUALITY LAW; LAWS AGAINST BROTHEL KEEPING/INCITING PROSTITUTION/PROFITEERING FROM THE PROSTITUTION OF OTHERS (aka PIMPING):

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance with any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras (like Spearmint Rhino, Camden), extensive 'secret Council spot checks', codes of conduct and sworn statements from all staff testifying to strict compliance with licensing conditions, are actually operating as forms of brothels where sexual contact and sex acts are standard. You could yet again face legal challenge for failing to take this into account.

3. SWINGERS CLUBS ARE NOT STRIP CLUBS:

Stop licensing 'Swingers Clubs' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'Swingers Clubs').

IN ADDITION:

4. TRAINING: Training and regular 'refreshers' for all relevant Councillors and Council staff on the harm of the strip trade, how it evades regulation and both SEV and Equality law must be written in to your policy.

5. REGULATION: Much stricter regulation of strip clubs must be written in to your SEV policy - including genuine secret checks by trained undercover operatives; far more extensive CCTV coverage; no private or curtained areas/booths/rooms; Council officers to check CCTV footage from several random time frames every month.

6. EXIT SUPPORT. This policy must also provide for Exit Support for all lap dancers for any strip clubs that are shut as other Councils have done, such as Rotherham.

7. Why are you consulting on your strip club licensing policy when an investigation into extreme levels of sexual contact in your one licensed strip club has not yet been concluded - or the findings publicised, digested or acted upon? This again puts you at risk of legal challenge.

8. I do not understand why a draft policy that the Council has already conceded in the High Court as breaching equality law is being put out for consultation.

Sent from my iPhone

From: [REDACTED]
To: [licensing service](#)
Subject: zero strip clubs
Date: 04 July 2019 20:06:43

To whom it may concern:

Introduce a policy for ZERO strip clubs in Sheffield

1. On the basis of locality - as there is no location where it is appropriate for a strip club to operate.

2. Under health and safety legislation, equality law and laws against brothel keeping/inciting prostitution or profiteering from the prostitution of others (aka pimping).

It has recently been made clear that it is impossible for any Council to regulate a strip club and ensure compliance under any of this legislation. Undercover investigations in clubs across the UK have exposed that strip clubs CANNOT be regulated whatever regulatory measures are put in place.

Even clubs with 63 CCTV cameras, extensive 'secret Council spot checks', codes of conduct and testimonies from all staff suggesting strict compliance to licensing conditions, are actually operating as a form of brothel where sexual contact and sex acts are standard.

3. Stop licensing 'swingers club' (such as La Chambre, where there has already been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from your 'swingers club').

4. It is concerning that you are consulting on this policy when an investigation into extreme levels of sexual contact into your one current strip club has not yet been concluded. Why have calls for an extension to this consultation on your entire policy on strip club licensing not been listened to?

5. Equally concerning, the draft policy we have been asked to consult on is one that the Council had had to concede in the High Court as non compliant with equality law. Why has this same draft been put out again for consultation?

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 02 October 2019 11:13:40

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

Strip clubs are also inextricably linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and God knows how many unreported assaults.
4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and on SEV and Equality law. This must be done by those harmed by the industry or their advocates – the only reliable source of information
5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

From: [REDACTED]
To: [licensing@service](#)
Subject: Licensing
Date: 05 July 2019 07:31:59

I feel that there should be no space in any community for the sale of women's bodies. It degrades the status of women in society and distorts women and men's view of their value as human beings. Please can the council create a city that feels safe and not sexualised and adopt like many forward thinking councils across the UK a zero tolerance of sexual entertainment venues.

Kind Regards
[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: SEV Licensing Consultation
Date: 07 July 2019 17:57:31

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men pay women to have sex with each other.

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs).

4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy.

5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information.

6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.

7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 07 July 2019 23:41:39

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION. Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs).
4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy.
5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information.
6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.
7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 23 September 2019 20:46:24

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate or monitor strip clubs or to comply with this legislation

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other

Strip clubs are also intimately linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs)
4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and SEV and Equality law . This must be done by those harmed by the industry or their advocates – clearly the only reliable source of information
5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 10 July 2019 13:09:26

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

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4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy.

5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information.

6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.

7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 11 July 2019 12:08:10

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 13 July 2019 15:05:14

Dear Sirs

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.
Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

From: [REDACTED]
To: [licensing service](#)
Subject: Response to SEV licencing consultation
Date: 05 October 2019 12:54:21

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

Strip clubs are also inextricably linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and God knows how many unreported assaults.
4. Ensure TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation and on SEV and Equality law. This must be done by those harmed by the industry or their advocates – the only reliable source of information
5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

Yours

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 28 July 2019 18:10:16

Introduce a policy for ZERO strip clubs. The presence of strip clubs not only has a negative impact on our communities, especially on women, but all intimate relationships are affected by a view of 'sex' that is focused on self gratification and holds others (mostly young women) in complete disregard.

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION. Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

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6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.

7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

Yours sincerely
[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 05 August 2019 21:28:52

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 14:05:09

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.
Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

Sent from my phone - apologies for any auto-correct mistakes.

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 14:19:56

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

Sent from my iPhone

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 14:30:17

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 08 September 2019 16:39:41

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

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Strip clubs are also intimately linked to wider criminality - drugs and dealing, tax and credit card fraud, money laundering and are a feeder and grooming ground for local brothels

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs)
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5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 15:17:02

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION. Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

From: [REDACTED]
To: [licensing.service](#)
Subject: Response to SEV Licensing Consultation
Date: 01 October 2019 22:27:08

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply

Even clubs with extensive CCTV coverage (Spearmint Rhino Camden with 63 cameras), secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club, men buy women to have sex with each other

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3. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and God knows how many unreported assaults.
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5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

[REDACTED]



Virus-free. www.avast.com

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 06 August 2019 18:18:36

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 24 September 2019 15:11:38

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

Undercover investigations UK wide show it is impossible to regulate or monitor strip clubs or to comply with this legislation

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5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut

Sincerely,

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 07 October 2019 12:57:42

Introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

1. There is NO LOCATION that is appropriate
2. Breach of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented

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5. Take STRIDENT ACTION on testimonies of women who speak out against the industry
6. Quality EXIT SUPPORT must be offered to all lap dancers when any SEV is shut

[REDACTED]

From: [REDACTED]
To: [licensing@sevla.org.uk](#)
Subject: SEV Licensing Consultation
Date: 06 August 2019 18:37:14

Dear Sir or Madam,

Thank you for giving us the opportunity to comment on the licensing policy. In my opinion the policy should not allow for any strip clubs at all, i.e. it should specify that the appropriate number is nil.

My reasons are that such clubs are impossible to regulate, and they do not comply with laws about prostitution equality or health and safety. Sexual contact, sex acts and the purchase of sex or take place. Therefore, there are no appropriate locations for such clubs to be licensed.

In addition, you should not license other types of establishment, such as “swingers clubs“ as strip clubs. This is an abuse of the licensing process.

More widely, you should train councillors and staff on the harm caused by these activities, on the evasion techniques they use to avoid regulation, and on the importance of supporting whistleblowers. You should then support and enable your staff to enforce the regulations.

With all good wishes,

[REDACTED]

Please excuse typos: sent from my phone.

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 07 August 2019 12:41:44

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs).

4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy.

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6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.

7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

Sent from [Mail](#) for Windows 10

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 07 August 2019 12:43:30

Dear Madam or Sir,

I fully support the statement below and ask to introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.
Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.
3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs).
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7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 13 August 2019 15:46:02

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.
2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.

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6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV from several random time frames each month.
7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut.

Regards

[REDACTED]

From: [REDACTED]
 To: [licensing@sheffield.gov.uk](#)
 Subject: Response to SEV Licensing Consultation - Spearmint Rhino licence renewal
 Date: 14 August 2019 12:53:58

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate. The location of Spearmint Rhino is within easy view of the outdoor seating area of the Showroom cinema opposite, which holds prestigious international film events and is a real asset to the cultural life of the city. The Workstation opposite the club is also used for family events and high profile seminars and professional events. These venues should not have to share their space with sleazy Spearmint Rhino. The Hubs - students' union of Sheffield Hallam University is also very close by, used by students of all ages and nationalities, who should not have to be exposed to a club of this nature in the course of using their own facilities. Many would be appalled if they knew the kind of place it is - basically a brothel - apparently condoned by the local authority on their doorstep.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide shows it is impossible to regulate strip clubs or comply with this legislation.

Even clubs with 63 CCTV cameras, secret Council spot checks, extensive codes of conduct and sworn testimonies of compliance from all staff, operate with sexual contact and sex acts as standard. In Sheffield's club men buy women to have sex with each other.#

Undercover investigation of Spearmint Rhino has revealed the many breaches of the 'regulations' as sexual contact seems to be freely available as well as voyeuristic opportunities to watch women they have paid have sex with each other. Is this really what the Council wants?

3. Stop licensing SWINGERS CLUBS (eg La Chambre, where there has been a rape conviction) as strip clubs (this might entail removing 'viewing galleries' from Swingers Clubs). There are other clubs around the city that are clearly strip clubs and SEVs, and effectively brothels. GEX on the bottom of Staniforth road? Bamboo Rooms (or current title) on S. heffield Road Tinsley next to the M1 motorway J34

You know these places are not being regulated or controlled in any meaningful way, so why pretend to grant licences with conditions?

4. TRAINING and regular refreshers for Councillors and staff on the harm of the strip trade, how it evades regulation, SEV and Equality law must be written into policy. All sex establishments play into a sense - and reality - of male sexual entitlement and offer opportunities for trafficked and vulnerable women to be exploited and abused for other people's profit.

5. Enable WHISTLE BLOWING and take STRIDENT ACTION on testimonies of women who speak out against the industry - the ONLY reliable source of information. You have had the evidence of regulation breaches provided - what are you going to do with that knowledge? Please protect our young people from an environment where these clubs are seen as the norm or at least socially acceptable on some level.

6. REGULATION must be written into policy including genuine secret checks by trained undercover operatives and extensive, high quality CCTV with Council officers checking CCTV

from several random time frames each month. But you know that will not be enough to stop the harm these clubs create. Sexual attacks, abuse and violence are all linked to men being allowed to believe they are entitled to have sexual access to women which is not mutually wanted, if they can pay for it. Do you want that attitude to be endorsed with the young men and women in your family? Your life?

7. EXIT SUPPORT must be written into policy ie meaningful support for all lap dancers for strip clubs that are shut. Yes some women turn to sex work as the only way to manage supporting their children, but that issue must be addressed in a better way than sex clubs being the only option. Help women who need access to paid employment find other suitable and less dangerous and demeaning work. Work they can tell their children about with pride, not shame and fear of discovery.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [licensing@service](#)
Subject: Response to SEV Licensing Consultation
Date: 18 August 2019 21:46:20

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate.

2. HEALTH and SAFETY; EQUALITY LAW; LAWS AGAINST PROSTITUTION.

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Sent from my iPad

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