

# **Licensing Committee**

**Monday 9 March 2020 at 10.00 am**

**To be held at at the Town Hall,  
Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

## **Membership**

**Councillors Andy Bainbridge (Chair), Karen McGowan (Chair), Dawn Dale, Roger Davison, Adam Hurst, Douglas Johnson, Ruth Mersereau, Joe Otten, Josie Paszek, Vickie Priestley, Bob Pullin, Mick Rooney, Cliff Woodcraft, Vacancy and Vacancy**

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## **PUBLIC ACCESS TO THE MEETING**

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The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

If you require any further information please contact John Turner on 0114 273 4122 or email [john.turner@sheffield.gov.uk](mailto:john.turner@sheffield.gov.uk)

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**LICENSING COMMITTEE AGENDA  
9 MARCH 2020**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting.
- 5. Minutes of Previous Meetings**  
To approve the minutes of meetings of (a) this Committee held on 3<sup>rd</sup> February, 2020 and (b) the Sub-Committee held on 13<sup>th</sup>, 14<sup>th</sup>, 20 and 27<sup>th</sup> January and 11<sup>th</sup> and 17<sup>th</sup> February, 2020
- 6. Sex Establishment Policy**  
Report of the Chief Licensing Officer.

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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Licensing Sub-Committee

Meeting held 13 January 2020

**PRESENT:** Councillors Roger Davison, Mick Rooney and Adam Hurst and Mick Rooney

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**1. APPOINTMENT OF CHAIR**

1.1 RESOLVED: That, in the absence of the Chair of the Sub-Committee (Councillor Andy Bainbridge), Councillor Mick Rooney be appointed Chair of the meeting.

**2. APOLOGIES FOR ABSENCE**

2.1 An apology for absence was received from the Chair (Councillor Andy Bainbridge).

**3. EXCLUSION OF PUBLIC AND PRESS**

3.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**4. DECLARATIONS OF INTEREST**

4.1 There were no declarations of interest.

**5. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

5.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.

5.2 The applicant in Case No. 02/20 attended the hearing with his wife, and they both addressed the Sub-Committee.

5.3 The applicant in Case No. 03/20 attended the hearing with a representative and his father, and they all addressed the Sub-Committee.

5.4 The applicant in Case No. 04/20 attended the hearing with a representative, and they both addressed the Sub-Committee.

5.5 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported, and where relevant, circulated at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
02/20	Application for a Private Hire Vehicle Licence	Grant a licence for 12 months on the grounds that the applicant has provided sufficient information to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
03/20	Application for a Hackney Carriage and Private Hire Driver's Licence	Grant a licence for three years, as requested, on the grounds that the Sub-Committee considers the applicant to be a fit and proper person to hold a licence.
04/20	Application for a Hackney Carriage and Private Hire Driver's Licence	Grant a licence for three years, as requested, on the grounds that the Sub-Committee considers the applicant to be a fit and proper person to hold a licence.

**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 14 January 2020**

**PRESENT:** Councillors Andy Bainbridge (Chair), Joe Otten and Bob Pullin

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**1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Dawn Dale.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes), on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing. Clive Stephenson (Licensing and Strategy Policy Officer) reported that the applicant in Case No.08/20 had withdrawn his application.

4.2 The licence holder in Case No. 06/20 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.3 The licence holder in Case No. 07/20 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.4 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported, and where relevant, circulated at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
06/20	Review of a Hackney Carriage and Private Hire Driver's Licence	Immediately suspend the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52 of the Road Safety Act 2006, in view of the incident now reported, until such time as the

licence holder takes and passes a competency test to be arranged by the Licensing Service.

07/20

Review of a Hackney  
Carriage and Private Hire  
Driver's Licence

Take no action.

**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 20 January 2020**

**PRESENT:** Councillors Karen McGowan (Chair) and Douglas Johnson

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Michelle Cook and Vickie Priestley.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.

4.2 The licence holder in Case No. 09/20 attended the hearing with his wife and a representative, and they all addressed the Sub-Committee.

4.3 The applicant in Case No. 10/20 attended the hearing and addressed the Sub-Committee.

4.4 The licence holder in Case No. 11/20 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.5 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported, and where relevant, circulated at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
09/20	Review of a Hackney Carriage and Private Hire Driver's Licence	Take no action as regards the offence, and reinstate the licence.

10/20	Application for a Hackney Carriage and Private Hire Driver's Licence	Grant a licence for a period of three years, as requested, on the basis that the Sub-Committee considers the applicant to be a fit and proper person, subject to him passing any tests required of a new driver.
11/20	Review of a Hackney Carriage and Private Hire Driver's Licence	Take no action.

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 27 January 2020

**PRESENT:** Councillors Karen McGowan (Chair), Bob Pullin and Mick Rooney

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#### **1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received. Councillor Adam Hurst attended the meeting as a Member, but was not required to stay.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASE**

4.1 The Chief Licensing Officer submitted details in respect of a case relating to hackney carriage and private hire licensing. The applicant in Case No. 13/20 attended the hearing and addressed the Sub-Committee.

4.2 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported, the case now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
13/20	Application for a Hackney Carriage and Private Hire Driver's Licence	Requests the applicant to obtain information from the two former employers now mentioned regarding the terms of employment and reasons for dismissal, and if such details concur with the information now reported by the applicant, the Chief Licensing Officer be granted delegated authority, in consultation with the Chair of the Sub-Committee, to grant a licence for one year, as requested, on the basis that the Sub-Committee would consider the applicant to be a fit and proper person to hold a licence.



**SHEFFIELD CITY COUNCIL**

**Licensing Committee**

**Meeting held 3 February 2020**

**PRESENT:** Councillors Andy Bainbridge (Chair), Dawn Dale, Roger Davison, Adam Hurst, Douglas Johnson, Karen McGowan, Ruth Mersereau, Josie Paszek and Vickie Priestley

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Joe Otten, Mick Rooney and Cliff Woodcraft.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No items were identified where resolutions may be moved to exclude the public and press.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. MINUTES OF PREVIOUS MEETINGS**

4.1 The minutes of meetings of (a) this Committee held on 30<sup>th</sup> September, 2019 and (b) the Licensing Sub-Committee held on 9<sup>th</sup>, 10<sup>th</sup>, 16<sup>th</sup> and 23<sup>rd</sup> September, 1<sup>st</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 21<sup>st</sup> and 29<sup>th</sup> October, 5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup> and 25<sup>th</sup> November and 2<sup>nd</sup>, 16<sup>th</sup>, 17<sup>th</sup> and 23<sup>rd</sup> December, 2019 and 6<sup>th</sup> and 7<sup>th</sup> January, 2020, were approved as correct records.

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**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 10 February 2020**

**PRESENT:** Councillors Karen McGowan (Chair), Ruth Mersereau and Mick Rooney

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**1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received. Councillor Josie Paszek attended as a reserve Member, but was not required to stay.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (Item 4 of these minutes), on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

4.1 The Chief Licensing Officer submitted details in respect of two cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 17/20 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.3 The applicant in Case No. 18/20 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.4 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported, and where relevant, circulated at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
17/20	Renewal of a Hackney Carriage and Private Hire Driver's Licence	(a) Grant a licence for the period of three years as requested, and the applicant be given a written warning to remain live for the full term of his licence and (b) the applicant be informed that if there are any further offences incurred during the term of the licence, the licence will be brought

back to the Sub-Committee.

18/20	Application for a Hackney Carriage and Private Hire Driver's Licence	Grant a licence for the term of one year, as requested, on the grounds that the Sub-Committee considers the applicant to be a fit and proper person to hold a licence.
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# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 11 February 2020

**PRESENT:** Councillors Andy Bainbridge (Chair), Joe Otten and Vickie Priestley

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#### **1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received. Councillor Cliff Woodcraft attended the meeting as a reserve Member, but was not required to stay.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraph 7 of Schedule 12A to the Local Government Act 1972, as amended.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. LICENSING ACT 2003 - REVIEW OF A PREMISES LICENCE**

4.1 The Chief Licensing Officer submitted a report to consider an application made by Sheffield City Council Trading Standards, under Section 51 of the Licensing Act 2003, for a review of a premises licence (Ref No. 16/20).

4.2 Present at the meeting were Bill Masini, Neil Bates and Lisa Marsden (Trading Standards, Applicants), Julie Hague (Sheffield Children Safeguarding Partnership), John O'Malley and Cheryl Topham (South Yorkshire Police Licensing), the director of the premises, accompanied by his wife and a friend, Jayne Gough (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.

4.4 Jayne Gough presented the report to the Sub-Committee, and it was noted that representations had been received from South Yorkshire Police, Sheffield Children Safeguarding Partnership and the Licensing Authority, and were attached at Appendix 'C' to the report.

4.5 Bill Masini reported on the grounds as to why the application had been made by Trading Standards.

4.6 Bill Masini and representatives of the other responsible authorities in attendance

responded to questions from Members of the Sub-Committee.

- 4.7 Cheryl Topham made representations on behalf of South Yorkshire Police, and responded to a question from a Member of the Committee.
- 4.8 Julie Hague made representations on behalf of the Sheffield Children Safeguarding Partnership, and responded to questions from Members of the Committee and representatives of the other responsible authorities.
- 4.9 The director of the premises made representations, being assisted by his wife and friend, and responded to questions from Members of, and the Solicitor to, the Sub-Committee, and representatives of the responsible authorities.
- 4.10 Bill Masini and the representatives of the other responsible authorities in attendance summarised their cases.
- 4.11 Jayne Gough outlined the options open to the Sub-Committee.
- 4.12 RESOLVED: That the attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.13 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.14 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.15 RESOLVED: That, in the light of the information contained in the report now submitted, and the representations now made, the Sub-Committee, in respect of the premises now mentioned (Ref. No. 16/20):-
- (a) agrees that the premises licence be revoked;
  - (b) rejects the application for a personal licence;
  - (c) authorises the Chief Licensing Officer to reject the application for the transfer of a premises licence, as it considers it necessary for the promotion of the crime prevention objective; and
  - (d) rejects the application to vary the Designated Premises Supervisor.

(The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)

**5. LICENSING ACT 2003 - 619 ECCLESALL ROAD, SHEFFIELD, S11 8PT**

- 5.1 This item to consider an application for the grant of a premises licence, made

under Section 17 of the Licensing Act, 2003, in respect of the premises at 619 Ecclesall Road, Sheffield S11 8PT, was withdrawn as the objections to the application had been resolved after the agenda for the meeting had been published.

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**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 17 February 2020**

**PRESENT:** Councillors Karen McGowan (Chair) and Roger Davison

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**1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Douglas Johnson.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

4.1 The Chief Licensing Officer submitted details in respect of two cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 20/20 attended the meeting with a representative, and they both addressed the Sub-Committee.

4.3 The licence holder in Case No. 21/20 attended the hearing with a representative, and they both addressed the Sub-Committee.

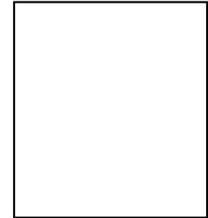
4.4 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported, and where relevant, circulated at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
20/20	Application for a Hackney Carriage and Private Hire Driver's Licence	Grant a licence for the term of three years, as requested, on the grounds that the Sub-Committee considers the applicant to be a fit and proper person to hold a licence.
21/20	Review of a Hackney Carriage and Private Hire	Immediately revoke the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52

Driver's Licence of the Road Safety Act 2006, as the Sub-Committee considers that, in the light of the offences and incidents now reported, he is no longer a fit and proper person to hold a licence.



## SHEFFIELD CITY COUNCIL Committee Report



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**Report of:** Chief Licensing Officer and Head of Licensing

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**Date and Time:** 9<sup>th</sup> March 2020

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

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**Author of Report:** Stephen Lonnia

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**Summary:** To seek Members approval on the 'Sex Establishment Policy'  
with an effective date of the 1<sup>st</sup> April 2020.

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**Recommendations:** That Members of the Licensing Committee to consider:

- all comments received during two rounds of consultation;
- EIA number 556; and
- the proposed policy.

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**Background Papers:** Not applicable

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**Category of Report:** OPEN

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

Ref 22/20

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

### 1.0 PURPOSE OF THE REPORT

- 1.1 To inform Members of the results of the consultation process undertaken on Sheffield City Council's proposed 'Sex Establishment Policy'.
- 1.2 To seek Members approval of the 'Sex Establishment Policy' with an effective date of the 1st April 2020.

### 2.0 BACKGROUND

- 2.1 Sheffield City Council regulates sex establishments through Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
- 2.2 Whilst the Act makes no provision for publishing a Sex Establishment Policy, it is recognised in modern legislation, and as best practice, that policies bring many benefits, including, but not limited to: transparency, accountability, consistency and localism.
- 2.3 The proposed policy incorporates all three sex establishment categories; sex shops, sex cinemas and sexual entertainment venues and creates a unified document that aims to provide clarity for applicants, Councillors, residents, businesses, local people, and any other interested person.
- 2.4 The policy that is subject of this report was originally drafted throughout the latter part of 2016 and 2017 and was approved at Licensing Committee on 23rd November 2017 with a commencement date of 1st January 2018.
- 2.5 The policy was subsequently subject to a judicial review where it was quashed and the Council undertook that the policy would be subject to another round of public consultation and the policy presented to the Licensing Committee would be subject to an Equality Impact Assessment.
- 2.6 The consultation process and this report aim to meet that undertaking.

### 3.0 WHAT DOES THE POLICY DEAL WITH?

- 3.1 The policy deals solely with sex establishment licensing, including, but not limited, to:
  - the application process
  - applicant suitability
  - numbers
  - locations
  - safeguarding

- enforcement.

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

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

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

#### **4.0 WHAT THE POLICY DELIVERS**

4.1 The policy shows our commitment to promote:

- High management standards at licensed sex establishments;
- Public safety of staff, performers and patrons at sex establishments;
- Safeguarding of staff, performers and patrons at sex establishments; and
- Safeguarding vulnerable adults working in the establishments, visiting as customers or in the locality of sex establishments.

4.2 The Policy will contribute to the following ambitions within the Corporate Plan.

- **An in touch organisation:** the Policy has been through extensive consultation. We have listened and responded to the diverse comments submitted by a range of local people and organisations.
- **Better health and wellbeing:** the Policy provides an updated section entitled "Policy in Relation to Safeguarding". This section places additional expectations on licence holders and managers to minimise harm on employees, vulnerable customers and members of the general public that could be impacted by such establishments.
- **Tackling inequalities:** a detailed EIA has been carried out in relation to the Policy and is attached at Appendix A (see Section 5.0).

#### **5.0 EQUALITIES – PUBLIC SECTOR EQUALITY DUTY**

5.1 As stated at 2.5, the Council undertook that the policy would be subject to another round of public consultation and the policy presented to the Licensing Committee would be subject to an Equality Impact Assessment.

5.2 Equality Impact Assessment (EIA) 556 was reviewed after the first round of consultation.

5.3 EIA 556 was reviewed again after the second round of consultation and is attached at Appendix A.

5.4 Members should be aware that EIA's are under constant review.

## **6.0 CONSULTATION**

6.1 As stated at 2.5, the Council undertook that the policy would be subject to another round of public consultation.

### **6.2 Stage One**

6.2.1 The consultation commenced on 15<sup>th</sup> April 2019.

6.2.2 The policy document was sent to all individuals that commented on the policy in 2017 and all individuals who submitted comments to SEV applications in 2019. It was also published online on Citizen Space.

6.2.3 The consultation end date was originally 5<sup>th</sup> July 2019; however, the Licensing Authority received an application for a sexual entertainment venue during the consultation. Given the application and this policy have the same interested parties, it was decided to extend the period of consultation to 31<sup>st</sup> October 2019 to allow sufficient time for comments to be made.

6.2.4 158 comments were received and all are attached at Appendix B.

6.2.5 Once the consultation ended, EIA 556 and the policy were updated accordingly.

6.2.6 Additional work was carried out with the Licensing Manager of the Sheffield Children Safeguarding Partnership to develop the Policy in Relation to Safeguarding section.

### **6.3 Stage Two**

6.3.1 A subsequent round of consultation was carried out between 28<sup>th</sup> January 2020 and 23<sup>rd</sup> February 2020 with an updated draft being circulated to all those that made comments during stage one.

6.3.2 7 comments were received and all are attached at Appendix C.

6.3.3 Again, once the consultation ended, EIA 556 and the policy were updated accordingly.

## **7.0 FINANCIAL IMPLICATIONS**

7.1 The cost to the licensing service of administering sex establishment licence applications should be covered by the licence fee.

7.2 Work undertaken on administering sex establishment applications, specifically sexual entertainment venue applications, has exceeded the amount budgeted in 2019/2020. This policy therefore proposes to separate SEV's into two distinct categories; Performance Licences and Members Clubs. Further detail on this is at Part 3 of the Sex Establishment Policy. This will permit the Licensing Service to adequately set the fee for specific types of venue to apportion appropriate resources.

7.3 Any cost of a legal challenge arising from policy or licence decision making cannot be recovered as part of the application fee and would be paid by Sheffield City Council.

## 8.0 RECOMMENDATIONS

- 8.1 That Members of the Licensing Committee approve the final draft of the Sex Establishment Policy as attached at **Appendix D** with an effective date of 1<sup>st</sup> April 2020.

## 9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To approve the Sex Establishment Policy as attached at **Appendix D** to come into force on the 1<sup>st</sup> April 2020.
- 9.2 To approve the Sex Establishment Policy as attached at **Appendix D** with amendments to come into force on the 1<sup>st</sup> April 2020.
- 9.3 To approve the Sex Establishment Policy as attached at **Appendix D** with or without amendments to come into force on an agreed date.
- 9.4 To defer the Sex Establishment Policy as attached at **Appendix D** for further consideration.

Stephen Lonnia  
Chief Licensing Officer and Head of Licensing  
Business Strategy and Regulation  
Block C, Staniforth Road Depot  
Sheffield  
S9 3HD

Date: February 2020

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# APPENDIX A

EIA and Report of Public Health

[Print this page](#)

## Equality Impact Assessment and Consultation

Approved

Approved by Johnston Annemarie

## Equality Impact Assessment

### Introductory Information

**Reference number**

556

**Proposal type**

Budget  Project

**Project name**

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

**Decision Type****Type of decision**

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

**Lead Cabinet Member**

Johnson Robert (LAB- CLLR)

**Entered on Q Tier**

Yes  No

**Year(s)****EIA date**

21/03/2019

**EIA lead**

Johnston Annemarie

**EIA contact**

Bower Claire

**Lead officer**

Crofts Michael

**Lead Corporate Plan priority**

Strong Economy

## Portfolio, Service and Team

### Cross Portfolio

Yes  No

### Portfolio

Place

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

No  Yes

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

VERSION 5 – POST 2nd ROUND CONSULTATION

Local authorities, by adopting Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, licence sex establishments.

Sex establishments are:

- Sex cinemas
- Sex shops
- Sexual Entertainment Venues (SEV's).

This EIA refers to Sheffield City Council's draft policy document that conveys to its users how Sheffield's Licensing Authority proposes to deal with applications for sex establishment licences whilst giving the assurance that all applications will be dealt with on their own individual merits.

The Council does not take a moral stance in the draft policy and recognises that Parliament has made it lawful to operate sex establishments.

The Council takes its obligations under the Public Sector Equality Duty seriously and understands that premises covered by this draft policy have the potential to have an adverse impact on people with protected characteristics under the Equality Act 2010

The legislation provides a framework to assist applicants and decision makers in considering applications, ensuring all relevant factors are given proper attention and the draft policy goes beyond the legislation and sets out the local expectations of Sheffield.

The policy was originally drafted throughout the latter part of 2016 and during 2017 and was approved at Licensing Committee on 23rd November 2017 with a commencement date of 1st January 2018.

However, the policy was subject to a judicial review where it was accepted that Sheffield City Council:

- failed to properly discharge the public sector equality duty as contained in s149 Equality Act 2010 in respect of its decision of 23rd November 2017 and
- failed to take proper account of the consultation responses in respect of its decision of 23rd November 2017.

As a consequence of the Consent Order (a judge-approved order confirming a legally binding agreement between parties) the Council undertook that:

- the policy dated 23rd November 2017 will be the subject of a public consultation; and
- the draft Sex Establishment Policy that is to be presented to the licensing committee thereafter shall be subject to an Equality Impact Assessment.

This process, taking place in line with the Consent Order, includes fully re-consulting, taking proper account of the consultation responses and constantly monitoring and updating this EIA throughout the process.

This version of EIA 556 considers all comments received during the consultation in relation to the three equality Aims of the Public Sector Equality Duty. These are to pay due regard to:

- Eliminate Discrimination, Harassment and Victimisation
- Advance Equality of Opportunity
- Foster Good Relations.

### Impact

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

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

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

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

#### Overview

Overview (describe how the proposal helps to meet the Public Sector Duty outlined above),  
Supporting Evidence (Please detail all your evidence used to support the EIA)

The Licensing Authority has used the following sources of information in order to identify what impact the licensing of sex establishments may have on people with protected characteristics:

1. The draft policy has been subject to a public consultation process between 14/4/19 and 31/10/19 in order to gather information and engagement with stakeholders, representative groups and service users.

160 comments were received during this time, the majority of which are against the licensing of, specifically, sexual entertainment venues.

Comments were also received from United Voices of the World Union on behalf of dancers at Spearmint Rhino and key partners in the licensing of sex establishments in Sheffield; the Sheffield Safeguarding Children Board and the Office of the Director of Public Health.

2. The draft policy was amended and a subsequent round of consultation was carried out between 28/1/2020 and 23/2/2020 with an updated draft being circulated to all those that made comments during stage one.

3. The Health Improvement Principal from the Office of the Director of Public Health, Sheffield City Council report entitled "Sex industry and Sexual Entertainment Venues and health evidence summary" produced in January 2018.

The report provides an evidence summary of peer reviewed journals from the past 5 years using the search terms sex industry + health and sexual entertainment venues + health. The evidence summary is attached to this EIA and is referred to throughout as the "health evidence summary".

4. The House of Commons report by the Women and Equalities Committee entitled "Sexual harassment of women and girls in public places", published in October 2018 (<https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/701/701.pdf>), detailing an inquiry into sexual harassment in women's daily lives outside of work.

5. The 2019 National Student Money Survey by Save the Student (<https://www.savethestudent.org/money/student-money-survey-2019.html>), an independent survey of 3,385 UK students about the costs of university.

6. The report by the University of Bristol's Centre for Gender and Violence Research entitled "The nature and prevalence of prostitution and sex work in England and Wales today", published in October 2019 ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/842920/Prostitution\\_and\\_Sex\\_Work\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/842920/Prostitution_and_Sex_Work_Report.pdf)).

7. An article from the Plan International UK website dated 4th September 2018 with the title, "Two Thirds of Girls Have Been Sexually Harassed In Public, New Survey Finds" (<https://plan-uk.org/media-centre/two-thirds-of-girls-have-been-sexually-harassed-in-public-new-survey-finds>).

This EIA and all comments received during the consultation will be subject to consideration by Members of the Licensing Committee when the draft policy is put forward for determination. Further amendment to the policy may be made at the point of determination.

It is important to note that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

## Impacts

Proposal has an impact on

### Health

Does the Proposal have a significant impact on health and well-being (including effects on the wider determinants of health)?

Yes  No

### Staff

Yes  No

**Impact**

Positive  Neutral  Negative

**Level**

None  Low  Medium  High

**Details of impact**

There are negative health risks associated with sex establishments, mainly SEV's.

Should the authority receive evidence of health issues in licensed venues, a full investigation will be carried out and may result in the licence being revoked.

- Mental Health (also relevant to the protected characteristic; disability)

The "health evidence summary" highlights high levels of young age workers, poor mental health, sexual abuse histories, and debt in the sex industry which may make performers or patrons vulnerable.

It found that the most prevalent mental health disorders suffered by women working in the industry (including SEV's) were anxiety and depression (mood disorders), PTSD and substance misuse disorders.

- Physical and Sexual Violence

The "health evidence summary" highlights that those working in the SEV industry and wider sex industry face high levels of workplace violence, including physical violence and sexual violence. The summary recommends that "regulation of such workplaces should include health and safety measures to reduce the risk of violence to staff".

Consultation comments received on behalf of United Voices of the World (UVW) from members working as dancers at Spearmint Rhino in Sheffield state the following:

"We understand, as a feminist trade union, that violence against women and girls manifests itself in many different ways and situations. This is particularly true when there are no protections in place and no legal framework to enforce them."

One comment received during the consultation from a specialist in the prevention of violence against women and girls referred to the concept of such venues demonstrating and encouraging the development of attitudes that are known to be supportive of violence against women as well as sexism more generally.

- Sexual Health

The "health evidence summary" discusses sex work globally as being a driver of sexually transmitted HIV, however, this is focussed on direct sex work and not licensed sex establishments. The summary does refer to the incentives of higher income through riskier practice in a competitive market in the context of lifting the cap on the number of SEV's.

Consultation comments from the Office of the Director of Public Health state "The number or limit of sex establishments (including SEV's) should be based on the capacity of welfare services (drug, alcohol, sexual health, mental health, domestic abuse, sexual violence) and regulatory services (licensing, safeguarding) to proactively support venues."

**Customers**

Yes  No

**Comprehensive Health Impact Assessment being complete**

Yes  No

Please attach health impact assessment as a supporting document below.

**Public Health Leads has signed off the health impact(s) of this EIA**

Yes  No

**Health Lead**

Hird Susan

**Age**

**Staff**

Yes  No

**Impact**

Positive  Neutral  Negative

**Level**

None  Low  Medium  High

**Details of impact**

There is a risk of negative age impacts associated with sex establishments.

Should the authority receive evidence of issues associated with a person's age in licensed venues, a full investigation will be carried out and may result in the licence being revoked.

- Young people and students

The "health evidence summary" refers to a study by Sanders and Hardy (2015) suggesting that 73.5% of people start work in SEV's under the age of 25 with financial factors being the main driving force.

In addition, a recent National Student Money Survey by Save the Student (<https://www.savethestudent.org/money/student-money-survey-2019.html>) indicated that 4% of around 3,000 student respondents have done some kind of adult work due to financial hardship. Note, these statistics refer to adult work as a whole and give examples that include selling intimate photos, webcamming, phone dating and nude modelling. The example of working in a sex establishment (SEV) is not referred to.

Work carried out during the policy consultation in 2017 with dancers at Spearmint Rhino indicated that 5 out of 25 respondents were studying or dancing to fund studies.

It is not an offence for a student over the age of 18 to be employed in a sex establishment.

- Under age workers

The above findings highlight a risk that people younger than 18 may be attracted to working at sex establishments. However, the Licensing Authority carry out inspections of licensed establishments and has not received any complaints regarding under 18's accessing any premises and has not received any information from South Yorkshire Police, the Sheffield Children Safeguarding Partnership or any other such organisation informing complaints or issues in relation to workers under the age of 18.

**Customers**

Yes  No

**Impact**

Positive  Neutral  Negative

**Level**

None  Low  Medium  High

**Details of impact**

There is a risk of negative age impacts associated with sex establishments. These have been considered and mitigated against below. Should the authority receive evidence of issues associated with a person's age in licensed venues, a full investigation will be carried out and may result in the licence being revoked.

It is important to reiterate that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

- Impact of premises on persons under 18

The external appearance of sex establishments has the potential to impact those under 18 negatively.

- Persons under 18 accessing licensed premises

The Licensing Authority has not received any complaints regarding under 18's accessing any premises referred to in this assessment and has not received any information from South Yorkshire Police, the Sheffield Children Safeguarding Partnership or any other such organisation informing complaints or issues in relation to under 18's.

It does, however, remain a risk, as with any age restricted licensed premises.

- Young people and students (over 18)

The "health evidence summary" found evidence that university students (over the age of 18) were key consumers of SEV and sex industry services and debt and illicit drug use were predictive of consumption.

There is no legislative restriction to over 18's accessing sex establishments.

## Disability

### Staff

Yes  No

### Impact

Positive  Neutral  Negative

### Level

None  Low  Medium  High

### Details of impact

There is a potential negative impact on people with a disability if a premises does not meet the standards and make reasonable adjustments to the physical barriers to access throughout the building. Should the authority receive evidence of issues associated with disability in licensed venues, a full investigation will be carried out and may result in the licence being revoked.

The Licensing Authority has not received any complaints in relation to the treatment of disabled people or in relation to the access to a premises in a sex establishment.

Disability encompasses a wide range of factors as set out in the Equality Act 2010 definitions. There may be an impact on the mental health of people working in the venues, with the "health evidence summary" indicating that the most prevalent mental health conditions are anxiety, depression, PTSD and substance misuse disorders.

### Customers

Yes  No

### Impact

Positive  Neutral  Negative

### Level

None  Low  Medium  High

### Details of impact

There is a potential negative impact on people with a disability if a premises does not meet the standards and make reasonable adjustments to the physical barriers to access throughout the building. Should the Licensing Authority receive evidence of issues associated with disability in licensed venues, a full investigation will be carried out and may result in the licence being revoked.

It is important to reiterate that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

Disability encompasses a wide range of factors as set out in the Equality Act 2010 definitions.

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

The Licensing Authority has not received any complaints in relation to the treatment of disabled people or in relation to the access to a sex establishment premises.

## Race

### Staff

Yes  No

### Impact

Positive  Neutral  Negative

### Level

None  Low  Medium  High

### Details of impact

There are no statistics on the ethnicity of staff who work within sex establishments in the city. Should the Licensing Authority receive evidence of issues associated with race in licensed venues, a full investigation will be carried out and may result in the licence being revoked.

No comments relating to race have been received in this consultation nor in previous consultations.

The "health evidence summary" highlights a report that details there are more prosecutions for trafficking in the sex industry than other industries such as garment, agriculture, domestic service which have much higher prevalence of trafficking.

Should a member of staff, management or a customer have a safeguarding concern regarding potential trafficking or coerced involvement in the industry, there should be an awareness of where to report information.

### Customers

Yes  No

### Impact

Positive  Neutral  Negative

### Level

None  Low  Medium  High

### Details of impact

It is important to reiterate that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

Sheffield is a diverse city and the ethnic profile continues to change. The proportion of residents classifying themselves as BAME has grown from 11% in 2001 to 19% in 2011. BAME adults make up 17% of the population.

There is no known negative impact on any customers with this protected characteristic. Should the Licensing Authority receive evidence of issues associated with race in licensed venues, a full investigation will be carried out and may result in the licence being revoked.

**Religion/Belief****Staff**

Yes  No

**Customers**

Yes  No

**Impact**

Positive  Neutral  Negative

**Level**

None  Low  Medium  High

**Details of impact**

It is important to reiterate that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

In the 2011 Census, 53% of Sheffield people said they were Christian, 31% had no religion and 8% were Muslim.

It is understood that the nature of sex establishments are such that they may offend or be contrary to certain faiths and beliefs.

However, Parliament has made it lawful to operate sex establishments and that such and it is the Council's role as the Licensing Authority to set policy and regulate such premises in accordance with the law.

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

However, each comment received in relation to the draft policy will be carefully considered.

The "health evidence summary" highlights that there is reasonable consensus of sensitive land use where SEVs would not be appropriate which includes near religious sites.

**Sex**

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

There is a risk of negative impacts on sex associated with sex establishments, mainly SEV's.

- Fostering good relations between women and men

On receipt of an annual licence renewal the Licensing Authority receives objections from local residents and other interested parties from around the country about the unsuitability of sexual entertainment venues and the fact that the core activity being sold is women taking their clothes off for men's money.

It is inherent in the business of an SEV that women's bodies are objectified and commoditised; businesses operating as SEV's have legal basis to do so, however, comments received during the first consultation into this draft policy point to a growing body of research evidence about the harmful impact of SEV's (particular reference should be given to objection no's 19; 29; 57; 145 & 153 - attached).

It is the aim of this EIA and the Sex Establishment Policy to minimise the impact of establishments operating in Sheffield.

- Eliminating unlawful discrimination, harassment and victimisation

The report on sex work by Bristol University suggests that consumption of alcohol in sexual entertainment venues increases the potential for assault; one female dancer is quoted in the report as saying "It is also difficult, in an environment where alcohol is flowing freely, to police your own personal boundaries, particularly if you are in a venue where the no-touching rule is not enforced".

The submission by United Voices of the World (UVW) members working as dancers at Spearmint Rhino in Sheffield stresses the need to protect workers and ensure the safety of all in the venue. UVW suggest all workers (including management, door staff, bar staff, DJ staff and performers) should complete training and have access to up to date educational resources on sexual assault, harassment and consent.

- Advancing equality of opportunity between women and men

The current SEV in Sheffield employs female dancers and there are there are occasions each year when the venue hosts a male strip show but this is limited to 2 or 3 events.

Dr Rachela Colosi from the University of Lincoln submitted comments to the Spearmint Rhino renewal application in 2019 and attended the Sub-Committee hearing. Research she had conducted suggested "where the licenses of SEV's are denied or revoked, as well as exposing women to poverty through unemployment, those who wish to continue to work as dancers, but are unable to find work in SEV's, may have no alternative but to seek work in unregulated spaces of erotic dance, increasing their risk of experiencing further exploitation. There is evidence to suggest that those working in unregulated spaces of erotic dance are exposed to more risks, including non-payment of labour, and increased incidents of sexual and physical violence".

Evidence provided at the renewal Sub-Committee hearing for Spearmint Rhino by current dancers suggested that they felt safe working at the club. They choose to work there as it gave them financial security and flexible working hours.

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

A study by Plan International in 2018 found that two thirds of young women aged between 14-21 have been sexually harassed in a public place in the UK.

### Sexual Orientation

#### Staff

Yes  No

#### Impact

Positive  Neutral  Negative

#### Level

None  Low  Medium  High

#### Details of impact

Please refer to the 'sex' impact section.

There is no barrier to performers in SEV premises in respect of sexual orientation and no concerns have been raised with the licensing authority in respect of this characteristic.

#### Customers

Yes  No

#### Impact

Positive  Neutral  Negative

#### Level

None  Low  Medium  High

#### Details of impact

It is important to note that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

Please refer to the 'sex' impact section.

There is no barrier to customers of any sex establishment in respect of sexual orientation and no concerns have been raised with the licensing authority in respect of this characteristic.

### Transgender

#### Staff

Yes  No

#### Impact

Positive  Neutral  Negative

#### Level

None  Low  Medium  High

#### Details of impact

There is no specific local data, however the Gender Identity Research and Education Society estimates that about 0.6% of people are trans, so approximately 3000 people in the city (see LGBT Community Knowledge profile).

There is no barrier to performers in SEV premises in respect of gender identity and no concerns have been raised with the licensing authority in respect of this characteristic.

#### Customers

Yes  No

#### Impact

Positive  Neutral  Negative

#### Level

None  Low  Medium  High

#### Details of impact

It is important to reiterate that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

There is no bar to legal entry, save that for those under the age of 18.

There is no perceived disproportionate impact in regards to this characteristic.

### Voluntary/Community & Faith Sectors

#### Staff

Yes  No

#### Impact

Positive  Neutral  Negative

#### Level

None  Low  Medium  High

#### Details of impact

There is a potential risk of negative impact on this characteristic in that some that welfare services may be provided by the VCF sector.

Consultation comments from the Office of the Director of Public Health state "The number or limit of sex establishments (including SEV's) should be based on the capacity of welfare services (drug, alcohol, sexual health, mental health, domestic abuse, sexual violence) and regulatory services (licensing, safeguarding) to proactively support venues."

#### Customers

Yes  No

#### Impact

Positive  Neutral  Negative

#### Level

None  Low  Medium  High

#### Details of impact

It is important to reiterate that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

The legislation gives Local Authorities discretionary grounds to refuse sex establishment licences on the grounds that the grant or renewal of a licence would be inappropriate, having regard to the character of the relevant locality and use of other premises in the vicinity, amongst other things.

### Cohesion

#### Staff

Yes  No

#### Customers

Yes  No

#### Impact

Positive  Neutral  Negative

#### Level

None  Low  Medium  High

#### Details of impact

It is important to note that within this EIA, the term 'customer' is not limited to patrons of the establishments but rather any and all persons that could potentially be impacted – the general public.

The "health evidence summary" highlights a study where participants associated SEV's with undesirable characteristics such as binge drinking, drug using, loitering, noise and other anti-social behaviour. The authors discuss views of customers of SEV's being threatening and risky and contrast this with the low number of reports of serious sexual assault.

The Licensing Authority has found no evidence of a contribution to crime and disorder, public nuisance or anti-social behaviour in so much that South Yorkshire Police (who are invited to make comments as part of policy and applications) have never made representations in regards the applications for sex establishments or policy. SYP have been formally consulted on both rounds of consultation on this policy.

### Supporting Documentation

Objector 29.pdf  
 Objector 57.pdf  
 Objector 153.pdf  
 Public Health\_SEV Evidence Summary v2.docx  
 Objector 145.pdf  
 Objector 19.pdf

### Cumulative impact

#### Proposal has a cumulative impact

Yes  No

#### Cumulative impact

Across a Community of identity/interest

#### Details of cumulative impact

Since the creation of SEV's in the legislation, applications have been declining in Sheffield;

- in 2011 there were 8 premises licensed as sex shops, this has reduced to 2; and
- in 2011 there were 3 premises licensed as sexual entertainment venues, this has now reduced to 2.

There is no desire from the Council to see this area of licensed activity grow; applications for new licences may still be made in line with the legislation and will be considered accordingly however, the Council's policy is that the appropriate number of sex establishments for the Sheffield City Centre is nil.

#### Proposal has geographical impact across Sheffield

Yes  No

#### Local Partnership Area(s) impacted

All  Specific

### Action Plan and Supporting Evidence

#### Action plan

##### Health

There is a risk of negative health impacts associated with sex establishments, mainly SEV's.

In order to mitigate the risks highlighted in the 'health' section above, the draft policy has been updated as follows:

- stipulation that licence holders shall ensure that all members of management and staff attend regular safeguarding training designed to support management and staff to recognise vulnerability in adults who are employees, voluntary workers, self-employees, performers, or customers. The training should include: mental health, anxiety, depression, PTSD, body dysmorphia, anorexia, substance misuse/addiction disorders; mental capacity and learning disabilities.

- stipulation that holders of sex establishment licences must display and make available, without charge, literature on matters relating to:
  - sexual health,
  - the prevention of sexually transmitted infections and HIV,
  - mental health;
  - substance misuse;
  - information about local health services as may be supplied to them by relevant local bodies;
  - debt; and
  - sexual abuse/sexual violence/domestic abuse services.
 This information must be made available to patrons, employees and performers.
- stipulation that relevant individuals must submit a basic Disclosure and Barring Service certificate on application. Where relevant individuals have convictions for violence (including civil orders for domestic abuse as well as convictions for violence (including domestic violence) stalking, harassment, coercive control and other offences against women that may be passed in future legislation) and sexual offences (amongst other things), it is unlikely that a licence will be granted.
- stipulation that licence holders to have in place and comply with health and safety policy measures that reduce the risk of violence to staff. SEV standard licence conditions state that a policy must in place concerning the safety of performers arriving at and leaving the premises.
- the draft policy proposes that the appropriate number of sex establishments for the whole of Sheffield is nil (excluding existing establishments – 2 x SEV & 2 x sex shop). The statement from the Office of the Director of Public Health provides a rationale for this limit.
- SEV Standard Licence Conditions prohibit any physical contact between performers and members of the viewing public.

### Age

There is a risk of negative age impacts associated with sex establishments.

In order to mitigate the risks highlighted in the 'age' section above, the draft policy has been updated as follows:

For staff:

- stipulation that licence holders shall ensure that all members of management and staff attend regular safeguarding training designed to support management and staff to recognise vulnerability in adults who are employees, voluntary workers, self-employees, performers, or customers. The training should include: mental health, anxiety, depression, PTSD, body dysmorphia, anorexia, substance misuse/addiction disorders; mental capacity and learning disabilities.
- stipulation that holders of sex establishment licences must display and make available, without charge, literature on matters relating to:
  - sexual health,
  - the prevention of sexually transmitted infections and HIV,
  - mental health;
  - substance misuse;
  - information about local health services as may be supplied to them by relevant local bodies;
  - debt; and
  - sexual abuse/sexual violence/domestic abuse services.
 This information must be made available to patrons, employees and performers.
- the legislation has offences relating to persons under 18 being employed and SEV and Sex Shop Standard Licence Conditions prohibit licence holders from employing any person under 18.

For customers:

- discretionary grounds under the Local Government (Miscellaneous Provisions Act) 1982 allow refusal where the grant or renewal of the licence would be inappropriate, having regard to the use to which any premises in the vicinity are put.
- reference to having regard to the proximity of schools, nurseries or other premises substantially used by or for children under 18 years of ages and parks or other recreational areas designed for use by or for children under 18 years of age.
- the operational hours of premises licensed as sexual entertainment venues differ to educational establishments.
- The policy stipulates that signage of establishments is considered by the applicant. Signage of all sex establishments is considered on application and will be amended to be made discreet, if necessary.
- Sexual Entertainment Venue Standard Licence Conditions prohibit licensees from advertising outside the premises, in the immediate vicinity, or elsewhere within the city using photographs or images that indicate or suggest that relevant entertainment takes place on the premises.
- Legislation and conditions state that the users of these premises are over the age of 18.
- The operational hours of premises licensed as sexual entertainment venues generally differ to educational establishments.
- Sexual Entertainment Venue Standard Licence Conditions prohibit licensees from advertising outside the premises, in the immediate vicinity, or elsewhere within the city using photographs or images that indicate or suggest that relevant entertainment takes place on the premises.

### Disability

There is a risk of a negative impact on disability associated with sex establishments.

The City Council's Health Protection Service (Health and Safety) will work with and advise applicants regarding accessibility to the premises in line with the Equalities Act 2010. In order to mitigate the risks highlighted in the 'disability' section above, the draft policy has been updated as follows:

- stipulation that licence holders shall ensure that all members of management and staff attend regular safeguarding training designed to support management and staff to recognise vulnerability in adults who are employees, voluntary workers, self-employees, performers, or customers. The training should include: mental health, anxiety, depression, PTSD, body dysmorphia, anorexia, substance misuse/addiction disorders; mental capacity and learning disabilities.
- Stipulation that holders of sex establishment licences must display and make available, without charge, literature on matters relating to:
  - sexual health,
  - the prevention of sexually transmitted infections and HIV,
  - mental health;
  - substance misuse;
  - information about local health services as may be supplied to them by relevant local bodies;
  - debt; and
  - sexual abuse/sexual violence/domestic abuse services.

This information must be made available to patrons, employees and performers.

#### **Race**

There is a risk of a negative impact on race associated with sex establishments.

In order to mitigate the risks to staff highlighted in the 'race' section above, the draft policy has been updated as follows:

- Stipulation that literature is available to patrons, employees and performers on the subject of safeguarding concerns.
- stipulation that licence holders shall ensure that all members of management and staff attend regular safeguarding training designed to support management and staff to recognise vulnerability in adults who are employees, voluntary workers, self-employees, performers, or customers. The training should include: mental health, anxiety, depression, PTSD, body dysmorphia, anorexia, substance misuse/addiction disorders; mental capacity and learning disabilities.

#### **Religion/Belief**

The risk of a negative impact on religion/belief is low however, there is a potential for a premises to have a negative impact based on its location.

The legislation gives Local Authorities discretionary grounds to refuse sex establishment licences on the grounds that the grant or renewal of a licence would be inappropriate, having regard to the character of the relevant locality and use of other premises in the vicinity, amongst other things.

The draft policy gives consideration to whether the premises are sited near properties which are sensitive for religious purposes e.g. synagogues, churches, mosques, temples.

#### **Sex**

There is a high risk of sexual entertainment venues having a negative impact on this characteristic in relation to the staff that work at the venues.

It is difficult to mitigate the objectification and commoditisation of women's bodies. Businesses operating as SEV's have a legal basis to do so.

It is possible however, to write into the policy, ways in which licence holders are expected to safeguard the women choosing to work in such venues and raise the operational standards. These practices will then be checked during enforcement exercises and advice given or referral to committee, where appropriate.

The policy has a section focussed on safeguarding with the following headings;

- Policies and procedures
- Support services
- Training
- Age checks
- Literature and signposting

Each of these sections aims to embed improved harm reduction practices in venues, ensuring all staff are aware of conditions in place and how to enforce them.

In addition, further text has been added to the 'Conditions' section of the policy to ensure management are clearly informing all members of staff of the licence conditions, how to adhere to them and the consequences if breaches are deemed to occur.

Since the legislation was adopted in 2011, the number of sex establishments has reduced from 8 to 2 for sex shops and from 3 to 2 for sexual entertainment venues. This policy states that the appropriate number of sex establishments for the Sheffield City Centre is nil with existing establishments being an exception to this number.

This EIA has also highlighted a wider negative impact on the citizens of Sheffield, not just the customers that choose to visit the venue.

As previously stated businesses operating as SEV's have a right to do so and legislation is in place to regulate them, however, the wide consultation exercise carried out and the findings of the EIA result in mitigation to being put in place to reduce the impact.

Evidence referred to in the 'sex' section above mentions that ensuring that women and girls have the freedom to enjoy being out at night, to go to bars and clubs and travel home safely without being sexually harassed or assaulted is the responsibility of everybody and puts the onus on central government, the police, local authorities, bars and venues and transport agencies.

In addition, the "health evidence summary" and comments received during the consultation suggest that women avoid walking near SEV's, thus restricting their freedom of movement.

Licence holders must be aware of what is happening in and around their venues and the following text has been added to the draft policy: "Where reports are received by the Licensing Authority during the term of a licence that evidence harm to women in or around sexual entertainment venues, the licence will be referred to the Licensing Sub-Committee to determine whether the licence holder, manager or beneficiary remain suitable to hold the licence".

In addition, when determining the suitability of an applicant, where relevant individuals applying for licences have convictions for violence, harassment and other offences against women, it is unlikely a licence will be granted.

The Act allows local authorities to impose numerical control on the number of sex establishments within a particular location. Based on the findings of the research above the draft policy proposes a 'nil' limit in Sheffield City Centre for all types of sex establishment. The draft policy makes existing establishments exempt to this limit, however any renewal application will not automatically be granted and will be considered on its own individual merit. This limiting of establishments will restrict the areas in the city centre where women feel threatened.

The Licensing Authority has open lines of communication with dancers at Spearmint Rhino and the United Voices of the World Union submitted comments during the first round of consultation on behalf of members working as dancers at Spearmint Rhino.

The House of Commons report refers to the Government's commitment to eliminate sexual harassment of women and girls by 2030. However, it also states that there is no evidence of a programme for achieving this goal. The Licensing Authority will ensure any emerging guidance is adhered to.

#### **Sexual Orientation**

There is no perceived disproportionate impact in regards to this characteristic.

#### **Transgender**

There is no perceived disproportionate impact in regards to this characteristic.

#### **Voluntary/Community & Faith Sectors**

There is a risk that SEV's could have a negative impact on the VCF sector as providers of some welfare services. This has been taken into consideration when setting a 'nil' limit in the policy to ensure that services are not overstretched.

There is a potential for a premises to have a negative impact based on its location, and the draft policy specifically accounts for this in that the following will be considered when applications are received:

- the premises are sited near properties which are sensitive for religious purposes e.g. synagogues, churches, mosques, temples;
- And
- places primarily used for religious worship.

#### **Cohesion**

Where reports are received by the Licensing Authority during the term of a licence that evidence harm to women in or around sexual entertainment venues, the licence will be referred to the Licensing Sub-Committee to determine whether the licence holder, manager or beneficiary remain suitable to hold the licence.

South Yorkshire Police have not made representation in regards to the draft policy.

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

Various information sources are cited throughout this document.

#### **Consultation**

**Consultation required**

Yes  No

**Consultation start date**

14/04/2019

**Consultation end date**

23/02/2020

**Details of consultation**

Statutory consultees / previous objectors to licences

The draft policy has been subject to a public consultation process between 14/4/19 and 31/10/19 in order to gather information and engagement with stakeholders, representative groups and service users.

160 comments were received during this time, the majority of which are against the licensing of, specifically, sexual entertainment venues.

Comments were also received from United Voices of the World Union on behalf of dancers at Spearmint Rhino and key partners in the licensing of sex establishments in Sheffield; the Sheffield Safeguarding Children Board and the Office of the Director of Public Health.

The draft policy was amended and a subsequent round of consultation was carried out between 28/1/2020 and 23/2/2020 with an updated draft being circulated to all those that made comments during stage one.

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

Yes  No

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

Yes  No

**If you have said no to either please say why**

**Summary of overall impact****Summary of overall impact**

Overall it is considered that there may be some potential negative equality impacts, in particular regarding health, young people and women.

The draft policy attempts to mitigate any potential negative impacts of applications and the Licensing Authority will administer and enforce the licensing regime in accordance with the law.

The draft policy does not propose any increase in numbers of sex establishments, as there is a potential risk to health and welfare if more venues are licensed because over-stretched regulatory and welfare services will not be able to respond to concerns.

The policy and this EIA version will now be presented to the Licensing Committee for determination.

**Summary of evidence**

The Health Improvement Principal from the Office of the Director of Public Health, Sheffield City Council report entitled "Sex industry and Sexual Entertainment Venues and health evidence summary" produced in January 2018.

Objection No's: 19; 29; 57; 145 & 153

**Changes made as a result of the EIA****Escalation plan**

**Is there a high impact in any area?**

Yes  No

**Overall risk rating after any mitigations have been put in place**

High  Medium  Low  None

**Review date**

**Review date**

23/02/2020

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

Approved

## **Sex industry and Sexual Entertainment Venues and health evidence summary**

### **Introduction**

This brief and pragmatic evidence summary is intended to support the use of evidence in determining policy on the commercial sex industry, including sexual entertainment venues and/or to facilitate policy makers in placing conditions on operations that are evidence based and/or known to work.

This evidence review can aid the development of Equalities Impact Assessments or Health Impact Assessments.

Public Health does not make moral judgements on sex work or the sex industry but concerns itself with the best evidence and best practice for protecting public health.

### **Methodology**

A literature search was conducted by Public Health using the University of Sheffield Starplus system.

Two search terms were used:

- Sex industry + health
- Sexual entertainment venues + health

For some authors, sexual entertainment is included in the term “sex industry” and for this reason this search term has been used to broaden the available literature as there is only a narrow selection on sexual entertainment. Where sex industry, as opposed to sexual entertainment, articles are considered careful consideration has been given to key messages, if any, that are transferable to wider sexual entertainment.

Only peer reviewed journals, in the English Language from the past 5 years were selected.

No priority was given to quantitative over qualitative or mixed methods approach or over study design.

Articles from the top 50 most relevant articles were considered.

The articles selected for further review were from a similar regulatory context – UK and Europe – or from a similar cultural setting in resource rich countries – North America and Australia. However, similar is not the same and where research is very context specific caveats have been noted about transferring knowledge and applying findings more generally.

Much of the commercial sex industry research is centred in resource poor countries in the Asia-Pacific region. These articles were excluded from further review as it was the view that findings from these articles were less transferable to a UK context.

The literature search was limited by time, access and skill; what is presented is a pragmatic response to consider a fair sample of peer reviewed literature to inform a public health view. This is not a systematic review or critical appraisal of the literature.

In the table below, the articles are coded “SEV B” for 9 articles sourced under the terms “Sexual entertainment venues + health” and SEV for 25 articles sourced under the search terms “Sex industry + health”. Full text of the articles is available on request. Duplicates are shown in the table.

The conclusions drawn from the articles considered (“key messages” and “findings from the literature for policy makers”) are those of the author of this paper. The thematic groupings/codes used are those of the author of this paper. Generally, the notes for policy makers are based on where there appears to be a consensus across the literature, rather than a claim made in a single study. Although the aim has been to objectively present knowledge and evidence, bias is always possible and those intending to use the source are encouraged to explore the full text of articles.

### **Findings from the literature for policy makers**

*Joined up government* – Planning and Licensing both have a role in regulating the environment in which sexual entertainment and sex work takes place and may take differing views. Timings of operation, discreet operation, the local environmental context in terms of sensitive land uses and “fit” of venues within that context are key considerations for Local Authorities. A lack of a joined up approach between Planning and Licensing can make it difficult for sexual entertainment venues to invest and develop their premises (SEV B1, SEV B2).

*Sensitive land use* – There is a reasonable consensus of sensitive land use where SEVs would not be appropriate which includes residential areas, near schools, near universities or colleges, near religious sites, near shops or high streets, sexual trauma services amongst other places. Where land use changes there may no longer be “fit”, for example the opening of the Olympic Legacy Park School in Attercliffe post-dates the proliferation of the sex industry in that area but may make it no longer suitable. Sensitive land use and suitability to the local setting can be used as reasons for refusing a license or limiting hours of operation. (SEV B1-4).

*Young People and students* - Evidence suggests most people start work in the SEV under the age of 25 (73.5%) with the average age of entry into the sex industry being 23 years. Students are a key source of temporary labour for SEVs, particularly undergraduates and part-time students. Financial pressure is the main driving force for entering the industry including student debt, debt from benefit changes, and broader economic pressures. However, those working in the industry also perceived relatively high pay, shorter hours and job flexibility as positive factors compared to other employment sectors such as retail. Students were also key consumers of SEV and sex industry services and debt and illicit drug use were predictive of consumption. (SEV B8, SEV B9, SEV 3)

*More venues/performers increase risk* - The literature suggests that the greater the number of premises and performers/workers, the greater the risks that may be taken to secure

sufficient remuneration. The type of risk taking behaviour included provision of “extras” in Sexual Entertainment Venues in private spaces, arrangements to meet clients outside of SEV for the purpose of selling sex, and in the wider sex industry, agreement to condomless sex. The literature also suggests that burnout and turnover in health and welfare professions supporting the industry is high and resources are limited and overstretched. This is pertinent for policy makers in terms of the expansion of SEV and sex industry as to whether support services and staff will stretch to cover a greater number of venues or geographical spread of venues. In one study, dancers were concerned that an increase in venues lowered the quality of such venues, whereas in another study more venues meant more choice about where to work and greater ability to move away from exploitative venues (SEV B6, SEV B8, SEV 2, SEV 3, SEV 19)

*Workers rights, self-organisation and self-advocacy* – Those working in the industry are well placed to make recommendations to improve their working conditions and health and safety. Those involved in sexual labour are a marginalised and stigmatised workforce and although advocacy, rights and self-organised workers’ groups do exist, policy makers may need to work hard to ensure these voices are heard. Work with sex workers on rights based work is seen as a key mechanism for addressing HIV transmission but is underfunded globally. Workers human rights and social justice approaches rather than punitive, rehabilitate or rescue approaches are considered most appropriate in this space and investment in sex worker self-organisation is viewed as crucial. Workers are concerned about basic health and safety at work such as adequate heat, light, ventilation, access to drinking water as well as industry specific concerns such as the way abusive customers are dealt with and safety measures in private areas of premises. (SEV B6, SEV B7, SEV11, SEV 20)

*Physical and Sexual Violence* – those working in the SEV industry and wider sex industry face high levels of workplace violence, including physical and sexual violence. Regulation of such workplaces should include health and safety measures to reduce the risk of violence to staff (SEV B7, SEV 4, SEV 9, SEV 11, SEV 14)

*Historic childhood abuse* – a number of articles note the association between historical childhood abuse and working in the sex industry. In one study, almost 1/3 of a sample of sex workers had prior sexual abuse histories (SEV 4, SEV 14, SEV 18)

*Mental Health* – just over 1/3 of participants in one qualitative study had mental health difficulties prior to entering the industry. Another study described the most prevalent mental health conditions to be anxiety and depression, PTSD and substance misuse disorders with PTSD linked to violence in the industry or historical childhood abuse. Those working in the sex industry reported strain on personal relationships and inability to sustain personal relationships. 1 in 3 sex workers within one study sample of sex workers had prior suicide attempts and 72.3% were unhappy with life (SEV 3, SEV 4, SEV 12, SEV 14)

*Sexual Health* – Sex work globally is an important driver of sexual transmission of HIV due to high partner change. Decriminalisation has the best evidence for HIV prevention and is recommended by a number of global actors on health and human rights. A key policy measure should be not to use condom carrying as evidence against sex workers for criminal prosecution. Partnerships between the sex industry, police and health are key. Working in the sex industry can negatively impact on romantic relationships with non-paying partners

and this can impact on condom use in those relationships and therefore transmission risks for STIs and HIV (SEV 5, SEV 6, SEV 12, SEV 17, SEV 21, SEV 22, SEV 24)

*Drug use* – in one study 53.1 % of the sex worker sample reported crack use and 19.2% reported heroin as their drug of choice. Illicit drug use was also predictive of consumption of sex industry services. Sex working women were considered to require more intensive and tailored substance misuse treatment services. Drug using clients may have lower earning power, may be limited to outdoor work, and may take greater risks (SEV 14, SEV B9, SEV 24)

*Debt and financial inclusion* – debt and financial factors were the main driving force to work in the sex industry in one large study. In other studies, performers were prepared to take risks for higher remuneration. In one study, dancers detailed how “house fees” for performers and fines meant starting their shift out of pocket. In another study, student impoverishment was seen to drive female students into working in the industry and being in debt was predictive of being both a worker and a consumer in the industry. (SEV B8, SEV B7, SEV B9, SEV 2, SEV 3)

*Indoor versus outdoor sex work* – there is a consensus of evidence that indoor environments are safer and where police and health professionals provide supportive in-reach to working women, these conditions are the safest. (SEV 9)

*Human Trafficking* – there is a consensus in the literature that sex trafficking is conflated with commercial sex work against the best available evidence. Although the prevalence of trafficking for sex work is high at around 25%, the majority of those trafficked globally are in domestic and agricultural roles. However, 92% of prosecutions for trafficking are for sex trafficking. There is no disagreement in the literature that sex trafficking is an abuse of human rights and should be rightfully prosecuted, but there are concerns that this focus on the sex trade is used to justify excessive surveillance of immigrant women who are already marginalised, working in this stigmatised and marginalised industry. There is a clear consensus that distinction must be made between non coerced sex work and trafficking. Sex workers have in some settings taken a role as peers in screening trafficked women. Resources and rights rather than criminalisation and rescue are recommended (SEV 7, SEV 10, SEV 11, SEV 16, SEV 20, SEV 23)

*Decriminalisation* - decriminalisation provides the optimal conditions and best evidence for HIV prevention, access to police protection, safe working conditions and access to health services and is supported by global health organisations such as UNAIDS. Zones of tolerance and legalisation have flaws, as do “end demand” policies. However, geographically compact zones of tolerance can facilitate inreach by support services such as health. Conversely, crackdowns and fines and excessive regulation such as mandatory registration can displace the sex industry to less populous, more isolated areas which are more risky for workers (SEV 5, SEV 11, SEV 16, SEV 21, SEV 24).

*Peers* – peer educators were seen as helpful for both sexual health interventions, empowerment, and anti-trafficking interventions (SEV 21, SEV 22, SEV 7)

## **Conclusion**

An evidence based health approach to the sex industry and sexual entertainment venues should be based on:

- Workers' rights and empowerment of sex workers
- Decriminalisation and geographically compact zones of tolerance
- Partnership between criminal justice, health agencies and venues/sex workers
- Tailored in-reach of drugs, alcohol, sexual health, mental health, financial inclusion services to this stigmatised and vulnerable workforce using peer-peer where possible
- Sensitive land use considerations to manage the impact of the sex industry on the wider population
- Sensible limits on the number of venues and zones in proportion to the local resource of support services (addiction, sexual health, mental health, criminal justice and regulatory services)

**Magdalena Boo**  
**Health Improvement Principal**  
**Office of the Director of Public Health, Sheffield City Council**  
**January 2018**

Code	Source	Summary of article	Key messages for policy makers
SEV B1	<p>Prior, J. and Hubbard, P. (2017) Time, space, and the authorisation of sex premises in London and Sydney, <i>Urban Studies</i> Special issue article: Sex, Consumption and the City 2017, Vol. 54(3) 633–648 Urban Studies Journal Limited 2015 DOI: 10.1177/0042098015612057 journals.sagepub.com/home/usj</p>	<p>This paper considers the different regulatory context in Sydney and London and the role of licensing, planning and environmental control departments in trying to legislate for legal land use for sex premises of various kinds.</p> <p>The authors point to the zoning of land for sex premises by “minor bureaucrats” instead of the police and often acting in silos from the police and each other.</p> <p>The authors refer to a social mainstreaming of sex as a legitimate leisure activity being mirrored in its inclusion in legal land use and therefore its movement from the urban periphery to commercial centres.</p> <p>There is discussion of “time” as well as “space” as many of these premises operate in the night time economy which may be out of kilter with other urban uses nearby. How SEVs should co-exist with other land uses is discussed in the context of a lack of reliable evidence on impact of such venues on their localities.</p> <p>Refers to LB Camden and Hackney which have nil limit SEV policies meaning no more SEVs can be opened despite in Hackney’s case there being no local objections. Refers to other Local Authorities restricting siting of SEVs near other areas of sensitive land use e.g. schools, housing, high street.</p> <p>The authors cite an example from North London of licensing and planning contradictorily awarding and refusing permission within a 2 week period for the same venue for a lap dancing club – planning approved, licensing refused.</p> <p>(The authors’ standpoint is that the legislation is imperfect and this leaves the regulation of SEVs open to “street level bureaucrats” as well as the state.)</p>	<p>Time use of SEVs may conflict with other local land uses and limits can be set of opening SEVs near areas of sensitive land use (Prior and Hubbard, 2017)</p> <p>There is a lack of reliable evidence of impact of lap dancing clubs on their localities (Hubbard, 2015 cited in Prior and Hubbard, 2017)</p> <p>Local Authorities may set a nil limit despite no local objections (Prior and Hubbard, 2017)</p> <p>The legislation is imperfect and unclear and there may be differences of view between, for example planning and licensing (Prior and Hubbard, 2017)</p>
SEV B 2	<p>Hubbard, P. and Colosi, R. (2015) Respectability, morality and disgust in the night-time economy: exploring reactions to ‘lap dance’ clubs in England and Wales, <i>The Sociological Review</i>, Vol. 63, 782–800 (2015) DOI: 10.1111/1467-954X.12278</p>	<p>The authors explore attitudes and reactions to a ‘lap dance club’. The authors suggest that rather than criminal behaviour this type of premise engenders moral disgust and that judgements are subject to social class and gender.</p> <p>The authors’ study revealed that SEVs were not a major cause of distress to local residents, but a significant minority (~1 in 10) claimed to always avoid walking near such venues: women were significantly overrepresented in this group, suggesting the presence of sexual entertainment in the night-time city does have important gendered effects. The study found women were more likely to note, and comment on, the presence of lap dance clubs than men but that this was more related to questions of morality and disgust than fear, with SEVs’ contribution to criminal and</p>	<p>Women may be more aware of lap dancing clubs than men and may consciously choose walking routes to avoid this type of premise.</p> <p>There is a reasonable consensus about sensitive sites where SEVs should not be placed. Not near schools/nurseries 83% Not near universities/colleges 46% Not near religious sites 65% Not near shops 45% Not in residential areas 97%</p>

		<p>antisocial behaviour deemed less significant than that of clubs, pubs or takeaways.</p> <p>The authors debate views about lap dancing and links to gender based violence and exploitation of women versus narratives of female empowerment and social class.</p> <p>The authors debate whether the clubs add to or take away from vibrancy and discuss a “moral geography” of appropriate sites for SEVs. Signage and names were significant here with a view that clubs should be “low key”. However, blacked out windows can also make passers-by feel uncomfortable.</p> <p>Study participants associated SEVs with undesirable characteristics such as binge drinking, drug using, loitering, noise and other anti-social behaviour.</p> <p>The authors discuss views of customers of SEVs being threatening and risky and contrast this with the low number of reports of serious sexual assault.</p> <p>The authors discuss views of staff (dancers) in SEVs as being motivated to work there by necessity or coercion versus it being emancipatory. There were also concerns that women would be asked or pressurised to go beyond dancing and perform sexual acts. There were further concerns about human trafficking associated with SEVs. There was a consensus of opinion that SEVs were exploitative of women.</p> <p>(The authors’ standpoint appears to be that the views of participants are motivated by traditional views of class, masculinity and femininity and “othering” of customers and staff in SEVs).</p>	<p>Signage and names (particularly more explicit) can have a particular impact with a preference for these being low key and discreet.</p> <p>SEV customers behaviour outside the clubs may cause concerns regarding anti-social behaviour.</p> <p>SEV customers may be viewed as threatening and risky. Within the context of very low reporting of sexual assault, the lack of reporting of serious sexual assault may not be significant to dispute this fear.</p> <p>There was a consensus of opinion from participants in the research that SEVs were exploitative of women.</p>
SEV B3	<p>Hubbard, P. (2015) Law, sex and the city: regulating sexual entertainment venues in England and Wales, <i>International Journal of Law in the Built Environment</i> 2015 - Volume 7/Issue 1, 1 April, 5-20</p>	<p>This article deals with the planning and licensing powers held by local authorities which allow discretion to prevent SEVs operating in specific localities, particularly those undergoing, or anticipated to be undergoing, redevelopment and regeneration.</p> <p>This is usually based on site sensitivity/sensitive land uses or future land uses e.g. a university building <i>will be</i> built in this area in future. This can mean that license renewal for an SEV can be refused if local land use changes.</p> <p>Refers to LA s choosing to set a ‘nil limit’ on SEVs through policy due to a view that there are no localities where SEVs are suitable or choosing to limit SEV proximity</p>	<p>Locality suitability and sensitive land use can be reasons for refusing a license.</p> <p>Suggestion that higher rate of criminality around SEVs is due to their location in high crime neighbourhood’s rather than the presence of the SEV per se and ditto being sited in lower value areas rather than directly contributing to lower house prices.</p> <p>A change in the nature of a locality can make</p>

		<p>near areas of sensitive land use such as schools, religious facilities, shopping districts, "family" housing and any facilities which might routinely be used by children. (Hubbard and Colosi, 2015).</p> <p>Refers to the use of licensing conditions to limit the hours of opening and general operation of the club.</p> <p>Refers to SEVs not being defined in the Use Classes Order in England and Wales therefore a change of residential to business use as an SEV will require planning permission.</p> <p>Licensing and planning are not concerned with morality, but instead only with valid material considerations (i.e. the visual appearance of a development, its impact on the setting and potential environmental nuisance).</p> <p>SEVs are being removed from particular localities where they are "out of place", not because the local authority is opposed to sexual entertainment <i>per se</i>.</p> <p>(The author's standpoint appears to be that legitimate businesses are being de-prioritised for land use compared to other land uses such as universities and that this is unfair. The author's standpoint appears to be that SEVs do not impact land values any more than treatment services for drugs and alcohol for example and therefore are being unfairly targeted. The author is concerned about how elected members on Licensing Committees may be influenced by the views of local people.)</p>	<p>nuisance more likely to be experienced by local residents for example a new school being built in an area with existing SEVs and this can be a reason to refuse license renewal.</p> <p>Licensing conditions can be used to limit hours of opening and general operation – what the author describes as creating a "restrictive environment" for SEVs.</p> <p>Change of use class requires planning permission – an HIA screen should be completed on a request for change of use to an SEV.</p>
SEV B 4	<p>Hubbard, P., Collins, A., Gorman-Murray, A., (2016) Introduction: Sex, consumption and commerce in the contemporary city <i>Urban Studies</i> 2017, Vol. 54(3) 567–581  <i>Urban Studies Journal</i> Limited 2016            DOI:10.1177/0042098016682685journals.sagepub.com/home/usj</p>	<p>The authors argue that attitudes have changed over past decade of how "sexual consumption" is visible in the city and describe how views about what belongs where in urban space can shape local policy. They cite examples of SEV businesses being refused because of wanting to enter into new urban territory with no tradition of SEVs. The authors explore the mainstreaming of sex retailing and emergence of female oriented "high street" shops for lingerie and sex toys.</p> <p>(Authors' standpoint is that sexuality impacts on perceptions of urban space and shapes orientation to urban space)</p>	<p>Makes economic arguments for SEVs etc as legitimate businesses which may struggle to break into urban territory where they are seen as not rightly belonging but notes that social attitudes change over time.</p>
SEV B5	Duplicate of SEV B4		
SEV B6	<p>Sanders, T., Hardy, K., Campbell, R. (2015) <i>Regulating Strip-Based</i></p>	<p>The authors explore how the voices of other stakeholders (community and campaign groups) have been given precedence over the dancers in SEVs and how by involving dancers in policy development and regulation can lead to better inclusion of dancer welfare and safety.</p>	<p>Dancers need to be consulted as key stakeholders and informants on the industry.</p>

	<p>Entertainment: Sexual Entertainment Venue Policy and the Ex/Inclusion of Dancers' Perspectives and Needs, <i>Social Policy &amp; Society (2015) 14:1, 83–92C</i> _Cambridge University Press 2014 doi:10.1017/S1474746414000323</p>	<p>The authors aim is to explore everyday practices in the stripping industry to inform the policy agenda. The authors state that former dancers experience – particularly those with negative experiences of exploitation and degradation in the industry – have informed policy development but that current dancers or collectives of dancers have not been involved. This lack of user involvement is at odds with other arenas of policy development work and further excludes and marginalises dancers.</p> <p>The comments from the dancers include feelings that those making policy were at arm's length from and had no understanding of the industry, concern over the loss of employment/earnings from those who depend on the industry if nil policy is set, and concerns that dancers would be viewed/labelled as sex workers and this would impact on future prospects. There were concerns about clubs/dancers offering “extras” of sexual services which increases pressure on dancers at legitimate SEVS and concerns that the proliferation of clubs would lower quality.</p> <p>The project detailed some financial exploitation of dancers by SEV management – fines for chewing gum, mobile phone use, fees for missing a shift and house fees per shift which left dancers out of pocket.</p> <p>The project sought to ensure that safety and welfare concerns raised by dancers were included in licensing policy with some success, the types of measures requested included:</p> <ul style="list-style-type: none"> <li>- No penalty for sickness, domestic emergencies of dancers</li> <li>- Limit on the number of dancers per club (due to dancers concerns that too many were employed to charge “house fees” where there were not enough customers to earn back house fees)</li> <li>- Adequate changing and kitchen facilities for dancers, heating and air conditioning</li> <li>- Provision of free water</li> <li>- Booths for private dances to have safety measures such as not being entirely screened off, managers having line of sight to booths and having panic buttons;</li> <li>- Measures for dancers safety at the end of late night shifts such as escort to own vehicle or taxi contract with reputable firm;</li> </ul> <p>Some of these measures – particularly measures on booths, fines and changing facilities – were adopted by Local Authorities including Sheffield, Manchester, Birmingham and London Boroughs.</p>	<p>Dancers express concerns that some clubs/dancers offer “extras” and this increases pressure on dancers from customers.</p> <p>Dancers express concerns that a proliferation of clubs will lower quality (bad management, bad practice).</p> <p>Dancers requested welfare measures including:</p> <ul style="list-style-type: none"> <li>- No penalty for sickness, domestic emergencies of dancers</li> <li>- Limit on the number of dancers per club (due to dancers concerns that too many were employed to charge “house fees” where there were not enough customers to earn back house fees)</li> <li>- Adequate changing and kitchen facilities for dancers, heating and air conditioning</li> <li>- Provision of free water</li> <li>- Booths for private dances to have safety measures such as not being entirely screened off, managers having line of sight to booths and having panic buttons;</li> <li>- Measures for dancers safety at the end of late night shifts such as escort to own vehicle or taxi contract with reputable firm;</li> </ul> <p>Some were adopted by Local Authorities.</p> <p>The project created a resource for dancers is available through an Iphone App and website: <a href="http://www.dancersinfo.co.uk/">http://www.dancersinfo.co.uk/</a>. Key ‘top tips’ written by dancers has been translated into Romanian, Portuguese, Spanish, Polish and Russian. This resource has been used by Local Authorities including Manchester, Liverpool and Leeds.</p>
SEV B7	Decker, M. R., Nail, J.E.,	This cross-sectional US study examines intimate partner violence (IPV) and client violence in	In this US cross sectional study, over 1/3 of young

	<p>Lim, S., Footer, K., Davis, W., Sherman, S. G.,(2017) Client and Partner Violence Among Urban Female Exotic Dancers and Intentions for Seeking Support and Justice, <i>Journal of Urban Health</i> 94:637–647 DOI 10.1007/s11524-017-0195-5,</p>	<p>relation to female exotic dancers who have been dancing for 6 months or less. 36% reported IPV and 16% client violence. Both forms of violence were correlated with arrest, sex trade, substance use, and childhood abuse.</p> <p>In the multivariate model, sex trade was the only factor significantly associated with recent client violence (AOR 4.45, 95% confidence interval [CI] 1.59, 12.41).</p> <p>In the multivariate model, sex work history was the only factor significantly associated with recent IPV (AOR 3.13, 95% CI 1.08, 9.03)</p> <p>Female exotic dancers preferred to seek help from the venue management than from police or helplines (mean score 4.51 with a range of 1 to 5; higher score indicative of more likely to seek help from a given source). The study stratifies variations in help seeking behaviour across substance misuse, sex trade, arrest histories and childhood abuse.</p> <p>“Trading sex may enable client-perpetrated abuse in EDC settings in which sex work is illegal. Women who trade sex may be in more intimate and isolated situations with clients in which violence may emerge more privately, as compared with the public spaces within venues where dancers entertain clients without sexual services”.</p> <p>“The regulation of the exotic dance industry makes violence in this setting an occupational health and safety issue”.</p> <p>“Within the work environment, women may make difficult safety trade-offs in the context of economic need or to sustain the biological demands of addiction”.</p> <p>Caveats about transferability of this research to Sheffield: the study is conducted in Baltimore, MD, an urban setting characterized by a high HIV burden [30], a robust drug economy, entrenched poverty, and historic and sustained constraints on accessing justice [31].</p>	<p>female exotic dancers working for 6 months or less 36% reported intimate partner violence and 16% reported client physical or sexual violence in the 6 months prior to the survey.</p> <p>Survey participants preferred to seek help regarding client violence from within venues from club management than from criminal justice agencies and helplines</p> <p>Workplace violence is a health and safety issue and regulators could engage and support club management to know about local resources and allow in-reach and develop violence prevention strategies.</p> <p>“Regulation for exotic dance venues may be able to include provisions for staff training on available violence support resources and passive strategies such as posting relevant information.”</p> <p>“The high prevalence of recent violence in our sample, coupled with the low intentions to seek help, argue for dedicated outreach to adult women involved in the sex industry as exotic dancers for safety promotion and access to prevention and care, particularly those who are also involved in the sex trade”.</p>
SEV B8	<p>Sanders, T., &amp; Hardy, K., (2015) Students selling sex: marketisation, higher education and consumption, <i>British Journal of Sociology of Education</i>, 36:5, 747-765, DOI: 10.1080/01425692.2013.854596</p>	<p>A large Mixed methods study of striptease industry in UK, in two cities one North and one South covering 20 SEVs and survey with 197 dancers (some interviewer-administered and some via striptease website) with a further 70 qualitative interviews with a range of staff including security and managers as well as regulatory staff.</p> <p>1/3 of dancers were under the age of 25 and 73.5% were under 25 when they started dancing.</p> <p>Changing attitudes and the rise of ‘respectability’ in sexual commerce; the ‘pleasure dynamic’ amongst students; and changes in the higher education structure were all factors explored by the authors.</p>	<p>Financial factors were the main driving force to work in the sex industry.</p> <p>A key finding of the study indicated that students were a core supply source providing dancers into the adult entertainment/stripping industry due to the ability to combine stripping work with the demands of educational courses, due to the flexibility it offered.</p> <p>The industry depends on students as temporary</p>

		<p>Cites research from Cardiff, Wales in 2011 of more than half of “escorts” being students and 1/6 of those in off street sex trade</p> <p>Although undergraduate students made up the largest proportion of dancers in education, others were pursuing qualifications and career plans by taking private courses e.g. beauty.</p> <p>The survey found that 34% of dancers reported working in another area of the sex industry (including other dance roles such as freelance and agency dancing).</p> <p>“The empirical work discussed in this paper supports these ideas that students are increasingly part of a culture of sexual consumption: both as providers in the form of sex workers and as consumers in the form of purchasing sex and other forms of sexual consumption through fashion, media, leisure and consumer goods. Stripping as a form of consumption and labour is increasingly acceptable because there is arguably less stigma attached to the industry”.</p>	<p>workers who provide a key source of labour when clubs are at their busiest.</p> <p>The competition between dancers, because there were so many compared with the level of custom, meant that dancers were reducing the standards and breaking the rules persistently. More clubs/dancers could lead to pressure on women to provide extras. This is a pertinent finding in relation to issues of caps on the number of SEV premises licenses in any area.</p>
<p>SEV B9</p> <p style="text-align: center;">Page 58</p>	<p>Ron Roberts , Amy Jones &amp; Teela Sanders (2013) Students and sex work in the UK: providers and purchasers, Sex Education, 13:3, 349-363, DOI: 10.1080/14681811.2012.744304</p>	<p>A cross sectional survey of a sample of 200 full and part time students (predominantly full time students) from 29 UK universities indicated that around 6% (2.7%–9.3%) of the sample was currently working in the sex industry – in erotic dancing, stripping or escorting, with significant numbers of both male and female students also involved in purchasing and using sexual services.</p> <p>Students engaging in sex work as a flexible income generator whilst studying has increased over the past decade.</p> <p>Small numbers from the sample were involved in sex work of any type with sexual entertainment (pole/lap/table/topless/erotic dancing) 4% (n=8) being the most common occupation followed by stripping 2.5% (n=5). Of the 12 respondents who reported engaging in some kind of sex work, all bar one were female. The male responder reported stripping.</p> <p>There was some indication that those involved in sex work were more likely to have experienced childhood sexual abuse and to have a current alcohol problem.</p> <p>Prior debt was statistically significant to predict engagement with sex work of any kind after controlling for variables.</p> <p>A logistic model, comprising full-/part-time status, debt status, amount of debt and degree of illicit drug use, was constructed to predict sex-work consumption. This model was significant and had an acceptable fit with the data.</p>	<p>There is agreement that student debt and impoverishment is contributing to the growing involvement in the sex industry. The study adds weight to previous studies which show financial factors as being a major driving force behind student participation in the sexual economy. Those engaged in sex work were more likely to be in debt prior to their studies and to be part-time students, with part-time status once again no longer significant with debt controlled for.</p> <p>“Findings from studies of students and the sex industry have implications for policy, which must take seriously the relationship between debt in students and supply routes into the sex industry”. The authors reiterate the role of those that have a duty of care and benefit from their presence (the universities)’.  Debt and illicit drug use were predictive of student consumption of sex work.</p>
<p><b>SEV 1-25 below are sourced from search terms “sex industry + health” through Starplus</b></p>			

SEV 1	Christina Mancini a,□, Amy Reckdenwald b, Eric Beaugregard c, Jill S. Levensond (2014) Sex industry exposure over the life course on the onset and frequency of sex offending Journal of Criminal Justice	<p>“Broadly, results suggest that adolescent exposure to the sex industry was associated with a younger age of onset sex offending among sex offenders. Findings indicate less consistency for the models examining the frequency of sex offending; some adult exposures influenced greater frequency in offending, but three were not predictive. Not least, results from an ancillary set of models suggest that adolescent exposure affected the “start” of sex offending careers, but not necessarily the duration of offending”.</p> <p>“In short, two competing bodies of scholarship examining the sex industry exist. One finds support for the social learning theory, or the “imitation” effects of the sex industry. The other literature suggests null or cathartic impacts. To be clear, both bodies of research are underdeveloped.”</p> <p>Caveat: US Context – may not be directly transferable to Sheffield or UK. This was a retrospective design with convicted male sex offenders (n=616)</p>	Exposure to the sex industry is associated with a younger age of onset of sex offending but not necessarily frequency or duration of offending.
SEV 2	Gillian M. Abela* and Lisa J. Fitzgeraldb ‘The street’s got its advantages’: Movement between sectors of the sex industry in a decriminalised environmentHealth, Risk & Society Vol. 14, No. 1, February 2012, 7–23	<p>This article deals with perceptions of risk and trade offs between risk and earnings in choosing street work/unmanaged sex work with higher earnings possible through street work. The article advises that stringent regulatory practices on street work are unrealistic and will place this vulnerable segment of the sex worker population at greater risk.</p> <p>Caveats: The findings are drawn from a survey of 772 sex workers and in-depth qualitative interviews with 58 sex workers in New Zealand. New Zealand, where prostitution is decriminalised may not be transferable to Sheffield or UK context</p>	Article excludes sexual entertainment and focuses on direct sex work so has less to offer in terms of key messages. However, motivation for street work of maximising income retained may be relevant in understanding motivation for outdoor work compared to indoor work. Further, the incentives of higher income through riskier practice in a competitive market is transferable in the context of lifting the cap on the number of SEVs. The preference of some workers for higher earnings in a deregulated market is also notable for policy makers.
SEV 3	Fairleigh Evelyn Gilmour (2016) Work Conditions and Job Mobility in the Australian Indoor Sex Industry Otago University Sociological Research Online, 21 (4), 14 < <a href="http://www.socresonline.org.uk/21/4/14.html">http://www.socresonline.org.uk/21/4/14.html</a> > DOI: 10.5153/sro.4166	<p>This study conducted 14 in depth interviews with female sex workers and former sex workers. The article focuses on indoor direct sex industry – brothel work.</p> <p>The study explores the concepts of job flexibility and mobility in the sex industry and argues that the availability of increased options in a decriminalized setting leads to greater potential for workers to negotiate improved working conditions.</p> <p>Financial need was the main reason for entering the industry.</p> <p>The average age of entry into sex work was 23.</p> <p>Women valued what they perceived as better pay and working conditions from sex work compared to traditional job roles for women.</p> <p>5/14 participants (just over 1/3) in the study had mental health difficulties prior to entering sex work and saw flexibility of the job as a benefit.</p>	<p>Job mobility and flexibility within the industry emerge as the key benefits with single parents and students particularly viewing flexibility of working hours as key. Mobility allows staff to move away from poor working conditions with relative ease.</p> <p>Financial need (due to benefit changes and broader economic pressures) was the main reasons for entering the industry with more traditional jobs such as nursing, hospitality and retail being either unavailable because of lack of experience and references or conditions considered to be poor.</p> <p>The average age of entry into sex work was 23.</p>

		<p>Participants perceived the rise in high-risk services (no condom) being offered as being due to increasing competition of both more women and more brothels.</p> <p>There was some discussion about self-employed status of women being a means of brothel managers avoiding employer responsibility for superannuation and sick pay.</p> <p>There was some discussion of pressure to perform unsafe practices by managers and the difficulties in refusing particularly for migrant women or drug using women.</p> <p><i>Caveats:</i> The study is set in Australia in the direct sex industry and therefore is not completely transferable to SEV in the UK.</p>	<p>1/3 of study participants (n=5) had mental health difficulties prior to entering the industry.</p> <p>Participants perceived that competition between premises and individual workers for income led to more high risk services.</p>
SEV 4	ANKLESARIA, A., and GENTILE, J.P (2012) Psychotherapy with women who have worked in the sex industry <i>Innov Clin Neurosci.</i> 2012;9(10):27–33	<p>This article focuses on the use of psychotherapy with women working in the sex industry, whether indoor (such as strip clubs and cabarets) or outdoor (such as prostitution and escort services).</p> <p>The authors describe the most widely prevalent mental health conditions to be anxiety, depression, PTSD and substance misuse disorders. The authors describe the literature of violence against indoor and outdoor workers in the context of sex industry trauma related PTSD.</p>	The most prevalent mental health symptoms of women working in the industry (including SEV) were anxiety and depression (mood disorders) alongside substance misuse addiction. PTSD is widespread in this group and linked to childhood abuse or sex industry trauma.
SEV 5	Victoria Powell and Eva Karlsen (2017) Sex industry regulation, Sex Worker Health and STI/HIV prevention, <i>Sex Transm Infect</i> , 93: A6 doi: 10.1136/sextrans-2017-053264.14	<p>Decriminalisation of the sex industry provides optimal conditions for STI/HIV prevention.</p> <p>Under decriminalisation New South Wales sex workers have better access to healthcare and STI/HIV education and prevention tools including free, confidential and anonymous sexual health services as well as peer-led services. Higher rates of safer sex, lower rates of STIs and improved Workplace Health and Safety were also evident, while in other jurisdictions sex workers continue to face barriers to treatment and other health services and often work outside legal frameworks.</p>	<p>Decriminalisation of the sex industry provides optimal conditions for STI/HIV prevention and improves workplace health and safety and access to health services. Peer led services were positive in this context.</p> <p>Decriminalisation is the optimal regulatory model and is supported by the UNFPA, UNDP, UNAIDS, WHO and Amnesty International as critical to HIV prevention and for human rights.</p>
SEV 6	A Reeves, S Steele, D Stuckler, M McKee, A Amato-Gauci and JC Semenza (2017) Gender violence, poverty and HIV infection risk among persons engaged in the sex industry: cross-national analysis of the political economy of sex markets in 30 European and	<p>Using income data and violence data from 30 countries in Europe and Central Asia to test the theory that poverty and fear of violence were structural drivers for HIV transmission. The violence data was for violence against women as most sex workers are female and included partner and non-partner physical, sexual and psychological abuse.</p> <p>The countries with the highest violence against women had the highest HIV rates amongst sex workers and those with the lowest violence against women had the lowest HIV rates amongst sex workers.</p> <p>“Our results are consistent with the theory that reducing poverty and exposure to violence may help reduce HIV infection risk among persons engaged in the sex industry.”</p>	<p>Reducing poverty and exposure to gender violence may help reduce HIV infection amongst people involved in the sex industry.</p> <p>Countries with higher violence against women may have higher HIV rates amongst female sex workers (there is an association between the two). HIV prevalence among sex workers was most closely associated with the experience of violence in the last 12 months.</p>

	Central Asian countries DOI: 10.1111/hiv.12520 HIV Medicine (2017), 18, 748—755, © 2017 British HIV Association	The authors look beyond individual factors and interventions e.g. educating and empowering sex workers to carry and use condoms, to structural factors e.g. condom carrying being used as evidence that a crime is being committed or economic pressures impacting on condom use as condomless sex carries a higher price.	HIV prevalence amongst sex workers was lower in countries where the income of the poorest was comparatively higher.
SEV 7	Kathleen Ja Sook Bergquist, (2015) Criminal, Victim, or Ally? Examining the Role of Sex Workers in Addressing MinorSex Trafficking, Affilia: Journal of Women and Social Work, Vol. 30(3) 314-327	“This article explores the silencing effect of conflating prostitution with sex trafficking, the ways in which sex workers might contribute to addressing the commercial sexual exploitation of children as “allies,” and the ethical responsibility of social workers in anti-trafficking work.”  Caveats: The article is from a US context	Notes the importance of distinguishing between forced involuntary prostitution and voluntary commercial sex work. Notes the positive role of peers in screening for trafficking.  The takeaway message for policy makers is to be clear about what type of activities in the commercial sex industry your policy is designed for and be clear when using evidence from one context about whether it is transferable – particularly, not to use evidence of sex trafficking when speaking of all commercial sex work.
SEV 8 Page 61	Sharon Pickering and Julie Ham (2014) HOT PANTS AT THE BORDER <i>Sorting Sex Work from Trafficking</i> BRIT. J. CRIMINOL. (2014) 54, 2–19 Advance Access publication 29 October 2013	Not relevant to SEV and Sheffield as predominantly focussed on interactions of immigration staff at the border and women.	
SEV 9	Andrea Krüsi, MSc, Jill Chettiar, Amelia Ridgway, BSW, Janice Abbott, BA, Steffanie A. Strathdee, , and Kate Shannon, Negotiating Safety and Sexual Risk Reduction With Clients in Unsanctioned Safer Indoor Sex Work Environments: A Qualitative Study American Journal of Public Health   June 2012, Vol 102, No. 6	This article concerns the use of a supported housing programme for women which included an approach of harm reduction for women in the sex trade, including the ability to use the building to see clients during managed hours of operation as well as health in-reach services including for addiction and ARVs.  “Women’s accounts indicated that unsanctioned indoor sex work environments promoted increased control over negotiating sex work transactions, including the capacity to refuse unwanted services, negotiate condom use, and avoid violent perpetrators. Despite the lack of formal legal and policy support for indoor sex work venues in Canada, the environmental-structural supports afforded by these unsanctioned indoor sex work environments, including surveillance cameras and support from staff or police in removing violent clients, were linked to improved police relationships and facilitated the institution of informal peer-safety mechanisms.  This study has drawn attention to the potential role of safer indoor sex work environments as venues for public health and violence prevention interventions and has indicated the critical importance of removing the sociolegal barriers preventing the formal implementation of such	This study supports other studies which demonstrate that indoor work environments are safer and that indoor environments where police and health professionals are allies to working women provide the best structural support for women’s safety.  The takeaway message for policy makers is that indoor work environments where in reach from police and health can take place are generally safer than outdoor sex work.

		<p>programs.”</p> <p>(Caveat: Canadian policy and cultural context may be different from UK)</p>	<p>This study is interesting because the indoor environment is a supported housing complex for working women rather than a sex industry setting.</p>
SEV 10	<p>Lerum, K., Brents, B. G., (2016) <i>Sociological Perspectives on Sex Work and Human Trafficking</i>, <i>Sociological Perspectives</i> 2016, Vol. 59(1) 17–26 © The Author(s) 2016 Reprints and permissions: <a href="http://sagepub.com/journalsPermissions.nav">sagepub.com/journalsPermissions.nav</a> DOI: 10.1177/0731121416628550 <a href="http://spx.sagepub.com">spx.sagepub.com</a></p>	<p>Discussed the evidence about the sex industry and policies on sex work and human trafficking and urges activists and policy makers to listen.</p> <p>The article argues not to conflate sex work with trafficking and to view sex work, like all paid employment as a complicated continuum of power, coercion and agency.</p> <p>“One quarter (~25%) of estimated trafficking victims globally are in the sex industry, but constitute nearly all of the convictions (92%) for human trafficking” – prosecutions over-represent sex industry victims compared to the 8% convictions concerned with the 75% working in domestic or agricultural labour. The authors argue that this is an anti-sex work bias.</p> <p>Argues that any form of criminalisation and aggressive policing can lead to harm for those in the sex trade. Argues for resources and rights rather than rescue and criminalisation.</p>	<p>The authors explore the evidence base around trafficking and are concerned by the lack of rigour of some studies – the takeaway message for policy makers is that not all evidence is equally valid, reliable and robust, and that over-generalisations particularly should be avoided.</p> <p>Sex work is over-represented in trafficking convictions compared to its prevalence (25% of trafficking prevalence and 92% of convictions).</p> <p>Argues that policy should focus on resources and rights for workers and sex work be viewed in the same moral space as other paid work, avoiding a moral bias.</p>
SEV 11	<p><i>Michele R Decker, Anna-Louise Crago, Sandra K H Chu, Susan G Sherman, Meena S Seshu, Kholi Buthelezi, Mandeep Dhaliwal, Chris Beyrer</i> (2015) Human rights violations against sex workers: burden and effect on HIV <i>Lancet</i> 2015; 385: 186–99 Published Online July 22, 2014 <a href="http://dx.doi.org/10.1016/S0140-6736(14)60800-X">http://dx.doi.org/10.1016/S0140-6736(14)60800-X</a></p>	<p>The authors reviewed evidence from more than 800 studies and reports on the burden and HIV implications of human rights violations against sex workers.</p> <p>There were widespread abuses of human rights perpetrated by both state and non-state actors and these directly and indirectly increase HIV susceptibility, and undermine effective HIV-prevention and intervention efforts.</p> <p>“Violations include homicide; physical and sexual violence, from law enforcement, clients, and intimate partners; unlawful arrest and detention; discrimination in accessing health services; and forced HIV testing”.</p> <p>Abuses occur across all policy regimes – the article looks at both Iran where selling sex carries the death penalty, partial criminalisation in Brazil and “end demand” policies in Sweden - although most profoundly where sex work is criminalised through punitive law. Where sex work is legalised this is associated with mandatory testing regimes for STIs and some workers evade these and resist registration creating a two tier system where only registered workers can access health and support</p>	<p>Criminalisation of sex work provides “ideal conditions” for human rights violations to occur and the least desirable conditions in which to address HIV transmission. However legalisation and zones of tolerance also have flaws.</p> <p>Rights based responses for sex workers provide the best conditions for HIV work with this marginalised group. The article refers to reforms to policy and practice to assure safe working conditions, access to police protection instead of abusive and discriminatory treatment, and equality and non-discrimination in accessing health</p>

		<p>services. Legalisation does not assure rights-based law enforcement practices and does not eliminate violence against sex workers (examples of Switzerland). Zones of tolerance approaches in Hungary facilitated police abuse of sex workers.</p> <p>New Zealand and New South Wales in Australia are the only jurisdictions that operate under full decriminalisation— ie, where sex work is not penalised through punitive laws, and regulation is premised on worker health and safety, and comparable to that for similar forms of labour. Decriminalisation improved police attitudes towards sex workers, and prompted them to notify sex workers of potential attackers. Police liaisons designated to work with sex workers on abuse issues also improved safety.</p> <p>The article warns against the conflation of sex work with trafficking – in global settings this has led to human rights abuse such as mass incarceration. Sex worker rights and anti-trafficking are not oppositional and an example from Calcutta (sic) is given of the involvement of sex workers in screening for trafficked women.</p> <p>Protection of sex workers is essential to respect, protect, and meet their human rights, and to improve their health and wellbeing. Research findings affirm the value of rights-based HIV responses for sex workers, and underscore the obligation of states to uphold the rights of this marginalised population”.</p> <p>Sex worker organising generates some of the most crucial and effective work on health and human rights, yet is severely underfunded. Less than 1% of funding on HIV prevention is spent on HIV and sex work, and even less is directed towards sex workers’ organisations.</p> <p>Caveats: This article takes a global perspective and findings may not be generalizable to the UK or Sheffield.</p>	<p>services. However, Sex worker self-organisation is severely underfunded from global HIV funding.</p> <p>Conflation of sex work with trafficking is inconsistent with the best available evidence.</p>
SEV 12	<p>Bellhouse C, Crebbin S, Fairley CK, Bilardi JE (2015) The Impact of Sex Work on Women’s Personal Romantic Relationships and the Mental Separation of Their Work and Personal Lives: A Mixed-Methods Study. PLoS ONE 10(10): e0141575. doi:10.1371/journal.pone.0141575</p>	<p>Research conducted to understand impact of sex work on women’s personal romantic relationships.</p> <p>“Most women (78%) reported that, overall, sex work affected their personal romantic relationships in predominantly negative ways, mainly relating to issues stemming from lying, trust, guilt and jealousy. A small number of women reported positive impacts from sex work including improved sexual self-esteem and confidence. Just under half of women were in a relationship at the time of the study and, of these, 51% reported their partner was aware of the nature of their work. Seventy-seven percent of single women chose to remain single due to the nature of their work. Many women used mental separation as a coping mechanism to manage the tensions between sex work and their personal relationships”.</p> <p>Findings very pertinent to health professionals, such as the distinction between work-sex and private sexual relationships meaning most women did not use condoms in personal sexual relationships. Other findings of relevance to mental health concern separation of work and home life through manufactured identity, ritual and emotional distance.</p>	<p>Study concerns indoor sex work in brothels, massage parlours and as call girls rather than sexual entertainment so findings may not be transferable but the main finding is that overall sex work had a negative impact on the personal sexual relationships of working women.</p>
SEV 13	<p>Wahab, S., and Panichelli, M. (2013) Ethical and</p>	<p>The article deals specifically with prostitution and diversion from prostitution using forms of coercion such as criminal justice community sentences or orders and access to health services being contingent</p>	<p>Those who develop “exit programmes” from sex work should not make access to</p>

	<p>Human Rights Issues in Coercive Interventions With Sex Workers <i>Affilia: Journal of Women and Social Work</i> 28(4) 344-349  <sup>a</sup> The Author(s) 2013  Reprints and permission: <a href="http://sagepub.com/journalsPermissions.nav">sagepub.com/journalsPermissions.nav</a>  DOI: 10.1177/0886109913505043  <a href="http://aff.sagepub.com">aff.sagepub.com</a></p>	<p>on participation in exit programmes. The article argues that this is not ethical for social workers to be involved in and is a form of structural violence against minorities.</p>	<p>health and support services contingent upon exit.</p>
<p>SEV 14</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 64</p>	<p>Patton, R., Snyder, A., Glassman, M., (2013) Rethinking substance abuse treatment with sex workers: How does the capability approach inform practice? <i>Journal of Substance Abuse Treatment</i> 45 (2013) 196–205</p>	<p>Article argues that sex workers need a different approach to substance misuse treatment than non sex workers.</p> <p>1710 (25.5%) of the sample of 6716 had a history of sex work.</p> <p>20% of the whole sample reported ever having attempted suicide which rose to 30.7% for sex workers (SW).</p> <p>22.2% (44.7% SW) of respondents reported ever experiencing sexual violation and 32.6% (49.8 % SW) stated they had ever experienced physical violation. Within the sample, 64.2% of participants reported they were very unhappy or somewhat unhappy with life which rose to 72.3% of sex workers.</p> <p>Among the sample, 15.7% reported a history of child sexual abuse (30.2 %SW) and 18.8% answered affirmatively to ever experiencing child physical abuse (24.8 %SW)</p> <p>For the subsample of sex workers , 53.1% of the respondents reported that crack/ cocaine was their DOC, 19.2% reported that heroin was their DOC, and 12.4% stated that alcohol was their DOC.</p> <p>“These findings suggest that certain capabilities differentiate between sex workers and non-sex workers within a substance abusing sample; challenges to life, bodily health, bodily integrity, emotions, practical reason, and control over one’s environment were all found to be significantly associated with sex work involvement.”</p>	<p>The article is concerned with prostitution rather than SEV but some findings are similar to other studies in terms of mental health and historical childhood abuse.</p> <p>Addiction in-reach commissioned into SEV and other sex industry should be tailored to the cohort, “they may need more intensive or different services compared to other substance abusers”.</p> <p>Mental health and suicide prevention staff should be aware of the high prevalence of prior suicide attempts (1 in 3) amongst this sample which are three times as high as attempted suicide in the general population of 1 in 15 (mental health.org.uk).</p> <p>Domestic abuse and sexual violence organisations should note the higher prevalence of sexual violation, physical violation and historic childhood abuse amongst female sex workers in this sample.</p>

<p>SEV 15</p>	<p>Minichiello et al. BMC Public Health (2015) 15:282 DOI 10.1186/s12889-015-1498-7 Minichiello, V., Scott, J., and Callander, D. (2015) A new public health context to understand male sex work, BMC Public Health (2015) 15:282</p>	<p>Article takes a global view of male sex work, STIs and HIV, and the role of technology in particular online communities. Considers transactional sex in some economies e.g. wealthy women tourists forming romantic attachments with local men where the men do not consider themselves to be sex workers and women do not consider themselves to be sex tourists as well as the predominantly MSM MSW in global contexts.</p> <p>Information technology has changed the way the sex industry is organised and this can include online negotiation and forums for riskier sexual practices (condomless sex) as well as more co-ordinated affiliations of sex workers in rights advocacy.</p>	<p>Not directly transferable to a Sheffield SEV context other than as regards the use of information technology as a positive means of linking workers with peers for rights advocacy as well as possible negative uses e.g. male customers online reviews of female sex workers' performance or use of online forums to seek riskier sexual practices for STIs.</p>
<p>SEV 16</p>	<p>Roxana Baratosy a, Sarah Wendt (2017) "Outdated Laws, OutspokenWhores": Exploring sex work in a criminalised setting Women's Studies International Forum 62 (2017) 34–42</p>	<p>This article explores the experiences of sex workers living and working in South Australia under laws that criminalise their profession.</p> <p>It was found that working in a criminalised setting raised particular concerns for sex workers including an erosion of workplace protections, outreach services, access to health service and increased policing.</p> <p>Sex workers advocate for decriminalisation as it has a growing evidence base showing it supports and maintains sexual health programs and has an effect on the course of HIV and other STI transmissions for sex workers when compared to other regulatory models.</p> <p>The Joint UN Programme on HIV/AIDS in their Guidance Note on HIV and Sex Work (UNAIDS, 2012) concluded that countries should move away from criminalising sex work and promote the decriminalisation of sex work.</p> <p>Criminalisation can displace sex work into less populous areas which are perceived as less safe.</p> <p>Confiscation of condoms as evidence by police still occurs in Australia and this can lead to reluctance to carry condoms or have them on site. Police also take away condoms from street based sex workers to encourage them to stop working.</p> <p>It has been argued by sex worker groups that decriminalisation and the removal of criminal laws relating to adult sex work is the most effective legislative approach.</p> <p>The authors' literature review revealed that within a criminalised setting sex worker organisations experience difficulties in accessing sex workers on 'outreach' because the industry moves underground due to stigma and fear.</p> <p>The most prominent theme extracted from the interviews was police intervention within the</p>	<p>This article argues that criminalising sex work leads to human rights violations, therefore sex work should be decriminalised to ensure workers are protected. This is in line with sex workers' advocacy organisations views and the best evidence for HIV prevention (UNAIDS). The most common theme was police abuse of power when sex work is criminalised.</p> <p>Article warns about conflation of sex work and trafficking which has shifted attention away from other sectors such as the garment industry.</p>

		<p>industry, where each interviewee expressed concern with the 'policing' of the industry. As sex work is criminalised police enforce laws and it is common for police to take advantage of their power.</p> <p>This article articulates different ways in which the criminalisation of sex work disrupts sex worker safety and rights to health care.</p>	
SEV 17	<p>"Jennifer L. Syvertsen a,1, Angela M. Robertson a,1, María Luisa Rolón a,b,2, Lawrence A. Palinkas c,3, Gustavo Martinez d,4, M. Gudelia Rangel e,5, Steffanie A. Strathdee a,*Eyes that don't see, heart that doesn't feel": Coping with sex work in intimate relationships and its implications for HIV/STI Social Science &amp; Medicine 87 (2013) 1e8 prevention</p>	<p>" Using qualitative data from a social epidemiology study of risk for HIV and other sexually transmitted infections (STIs) among female sex workers and their intimate, non-commercial male partners along the Mexico - U.S. border, we examined both partners' perspectives on sex work and the ways in which couples discussed associated HIV/STI risks in their relationship.</p> <p>Couples employed multiple strategies to cope with sex work, including psychologically disconnecting from their situation, telling "little lies," avoiding the topic, and to a lesser extent, superficially discussing their risks. While such strategies served to protect both partners' emotional health by upholding illusions of fidelity and avoiding potential conflict, non-disclosure of risk behaviors may exacerbate the potential for HIV/STI acquisition. Our work has direct implications for designing multi-level, couple-based health interventions.</p> <p>Caveats: US-Mexico border context, may not be directly transferable to Sheffield.</p>	<p>This article is of importance to those providing sexual health services to SW and non-SW partners of SW around STI risk.</p> <p>The article is specifically exchange of sex for money sex work so not directly transferable to SEVs.</p>
SEV 18	<p>Lutnick,A., Harris J., Lorvick,J., Cheng,H., Wenger, L.D.,Bourgois, P., Kral, A.H., (2015) Examining the Associations Between Sex Trade Involvement, Rape, and Symptomatology of Sexual Abuse Trauma <i>Journal of Interpersonal Violence</i> 2015, Vol. 30(11) 1847–1863 DOI: 10.1177/0886260514549051 jiv.sagepub.com</p>	<p>The high prevalence of rape and sexual trauma amongst women involved in the sex industry is well established. This article looks at a rape and sexual trauma experience amongst women who do and do not trade sex in a community based sample of 322 substance mis-using women (methamphetamine) in San Francisco, California, 61% of whom were involved in the sex trade.</p> <p>The authors found that urban poor women, regardless of sex trade involvement, suffer high levels of rape and related trauma symptomatology.</p> <p>Caveats: article focuses on a very specific sub sample of substance misusing women in the US.</p>	<p>This article deals with a very specific sample, of substance misusing women and found higher levels of rape and related trauma amongst this group regardless of sex trade involvement.</p>
SEV 19	<p>Rachel Phillips<sup>1</sup>, Cecilia Benoit<sup>1,2</sup>, Helga Hallgrimsdottir<sup>2</sup> and Kate Vallance<sup>1</sup> Courtesy stigma: a hidden health concern among</p>	<p>Article explores how stigma associated with vulnerable and marginalised groups can attach itself with those who work or volunteer with those groups, and how this influences turnover in those professions. The article deals with adult sex workers as a specific group and those who work with them and their experience of this form of stigma.</p> <p>Issues such as underfunding of the work and defending the value of the work were key issues of stress</p>	<p>This article provides insight into the role of paid and volunteer staff working with adult sex workers. The difficulty of providing meaningful services with limited resources is a key source of stress for staff and</p>

	<p>front-line service providers to sex workers</p> <p>Sociology of Health &amp; Illness Vol. 34 No. 5 2012 ISSN 0141-9889, pp. 681-696 doi: 10.1111/j.1467-9566.2011.01410.x</p>	<p>for staff and volunteers whereas meaningful engagement was a key positive. Underfunding of other services which created barriers when referring women for other support was also a source of stress.</p> <p>Not being able to talk openly with family and friends about their job for fear of disapproval or a reluctance to burden others with the tension that surrounds the work resulted in a sense of isolation for some workers.</p> <p>While the participants described the emotional rewards associated with providing front-line services, as well as a high degree of skill discretion and autonomy, the work was also described as very stressful, with stress and fatigue being commonly associated with a decision to leave the organisation. High levels of emotional exhaustion and a low sense of personal accomplishment were recorded.</p>	<p>volunteers and the role is isolating and stigmatised.</p> <p>This is pertinent for policy makers in terms of the expansion of SEV and sex industry and whether those involved in supporting those working in the industry are consulted as to whether services and staff will stretch.</p>
SEV 20	<p>Jackson, C.A., (2016) Framing Sex Worker Rights: How U.S. Sex Worker Rights Activists Perceive and Respond to Mainstream Anti-Sex Trafficking Advocacy Sociological Perspectives 2016, Vol. 59(1) 27-45 DOI: 10.1177/0731121416628553 spx.sagepub.com</p>	<p>Interviews with sex worker rights activists which (1) contest the labelling of sex workers as victims and (2) contest the accuracy and emotionality of stories and statistics used in mainstream anti-sex trafficking efforts. Argues that moral position of US policy is anti-sex work which creates a hostile environment for sex labour rights activism.</p> <p>The article argues that the dominant moral positions in the US are to incarcerate, rescue, rehabilitate or protect women working in the sex industry rather than invest in social welfare empowerment or public health programmes.</p> <p>Rights based activists argue that criminalising and stigmatising prostitution is a greater social problem than sexual labour itself.</p>	<p>Self-organised labour rights groups for sex workers (including sexual entertainment workers in this sample) may be disadvantaged as against other labour rights organisations due to moral views about the industry. Sex workers are marginalised workers in a stigmatised industry. Policy makers should ensure that the voice of workers in the industry is heard.</p> <p>The rights articulated include: the right to work safely—free from arrest, police harassment, and violence; free to report violence or theft; free to remain as a primary caretaker for a child/children; the right to leave sex work without identifying as a victim.</p> <p>Activists insist on the separation of sex work and coerced sex work through trafficking arguing that choice and agency make the difference in consensual sex work.</p>
SEV 21	<p>Tenni B, Carpenter J, Thomson N (2015) Arresting HIV: Fostering</p>	<p>The article argues that criminalisation and regulatory control of sex work, and in particular certain negative police practices, can inhibit progress in combating the spread of HIV globally.</p>	<p>Partnerships between public health, the police and the sex industry are key to preventing the spread of HIV. The</p>

	<p>Partnerships between Sex Workers and Police to Reduce HIV Risk and Promote Professionalization within Policing Institutions: A Realist Review. PLoS ONE 10(10): e0134900. doi:10.1371/journal.pone.0134900</p>	<p>“Decriminalisation is widely regarded as the evidence-based model of sex industry regulation that best supports effective health promotion, public health outcomes, the human rights of sex workers and is the best practice model for the prevention of HIV and STIs.”</p> <p>“The decriminalisation of sex work, particularly legalising the possession of condoms and the provision of managed sex work zones facilitate more effective HIV prevention programs.”</p> <p>The example was given of the Asia Pacific region where apart from NSW and New Zealand, sex work is criminalised and police are often perpetrators of violence against sex workers, using criminalisation to extract bribes or free sexual services or targeting sex workers for arrest to fill arrest quotas.</p> <p>The need to promote partnerships between sex workers and police is also encouraged by various UN political declarations including UNESCAP Resolutions 66/10 and 67/9 but there is limited evidence of good practice in this area. The Ugly Mugs programme is a good case study of joint work between police and the industry to protect workers from abusive clients.</p> <p>“The review found that political and police leadership, civil society strengthening and police reform in relation to HIV, are critical factors and key ingredients in changing the enabling environment in which sex work takes place to ensure that HIV prevention, individual and public health as well as HIV prevention and the promotion of human rights are the number one priority. Further research into this relationship is needed to provide evidence for effective HIV programming with police.”</p> <p>Caveats: global and HIV/selling sex focus</p>	<p>regulatory framework around sex work can inhibit efforts to halt the spread of HIV such as the possession of condoms being used as evidence for arrest for sex work. The decriminalisation of sex work is currently regarded as the best practice model. This can include “zones of tolerance” for sex work where inreach of sexual health services is more easily facilitated. Crackdowns have been demonstrated to displace rather than eliminate sex work and increase risk by pushing sex work into more isolated, less populous areas and away from health services. Fining women was shown to increase debt and increase frequency of sex work. The use of peer educators is viewed as positive in a number of global settings and a good relationship between peer educators and the police.</p>
SEV 22	<p>Steen R, Wheeler T, Gorgens M, Mziray E, Dallabetta G (2015) Feasible, Efficient and Necessary, without Exception – Working with Sex Workers Interrupts HIV/STI Transmission and Brings Treatment to Many in Need. PLoS ONE 10(10): e0121145. doi:10.1371/journal.pone.0121145</p>	<p>“High rates of partner change in sex work—whether in professional, ‘transactional’ or other context—disproportionately drive transmission of HIV and other sexually transmitted infections.” Decades of empirical evidence, extended by analyses in this collection, argue that protecting sex work is, without exception, feasible and necessary for controlling HIV/STI epidemics.”</p> <p>The disproportionate burden of HIV borne by sex workers (globally) calls for expedited and facilitated access to appropriate services.</p> <p>Direct interventions should include peer-based outreach, condom programming and appropriate clinical services, and should be supported by structural interventions to reduce vulnerability, facilitate condom use and promote participation and ownership by sex workers. Programmes should prioritise coverage of overt, high-volume sex work as a first step to interrupting transmission and controlling epidemics.</p> <p>(Caveats: this paper takes a global view and generally focuses on countries which are resource poor and have a high HIV prevalence. The article focuses on selling sex rather than “no touch” SEV)</p>	<p>Sex work is an important driver of sexual transmission of HIV.</p> <p>Direct interventions should include peer-based outreach, condom programming and appropriate clinical services, and should be supported by structural interventions to reduce vulnerability, facilitate condom use and promote participation and ownership by sex workers.</p>
SEV 23	<p>Elena Shih (2016) Not in My “Backyard Abolitionism”:</p>	<p>This article explores a faith based <i>vigilante rescue</i> anti-sex trafficking programme for human trafficking in South Carolina, US. The author argues that “moral panic” about sex trafficking justified surveillance</p>	<p>Conflation of sex work and trafficking can lead to disproportionate surveillance of</p>

	<p>Vigilante Rescue against American Sex Trafficking Sociological Perspectives 2016, Vol. 59(1) 66–90 DOI: 10.1177/0731121416628551 spx.sagepub.com</p>	<p>and policing of working class immigrant women in the state. The use of racial profiling and assumptions about criminal behaviour on the basis of race were noted.</p> <p>The author notes that moral positions about the legitimacy of sex work can assume that all commercial sex work is exploitative and non-consensual and that moral concern about the sex trade has led to a disproportionate focus on sex trafficking compared to other forms of trafficked human labour; this has led to punitive approaches to migrant women.</p> <p>The author raises concern that such non-state organisations as this acting in the state's interest draw resources away from labour rights, social welfare and social housing.</p>	<p>migrant women involved in the sex trade (including SEV) and further marginalise these women. Social welfare responses are preferred.</p>
SEV 24	<p><i>Stefan David Baral, M Reuel Friedman, Scott Geibel, Kevin Rebe, Borche Bozhinov, Daouda Diouf, Keith Sabin, Claire E Holland, Roy Chan, Carlos F Cáceres (2015)</i> HIV and sex workers Male sex workers: practices, contexts, and vulnerabilities for HIV acquisition and transmission <i>Lancet</i> 2015; 385: 260–73</p>	<p>“Male sex workers, irrespective of their sexual orientation, mostly offer sex to men and rarely identify as sex workers, using local or international terms instead. Growing evidence indicates a sustained or increasing burden of HIV among some male sex workers within the context of the slowing global HIV pandemic.”</p> <p>This group as a key population is underserved by current HIV prevention, treatment, and care services (globally). Men who sell sex represent a subset of individuals who have been mostly ignored to date in the context of the global response to HIV/AIDS.</p> <p>Commercial heterosexual sex probably encompasses a small proportion of all commercial sex offered by men. HIV acquisition and transmission risks for men who sell sex only to women are also probably much lower than those affecting other male sex workers.</p> <p>Not defining as a sex worker can be a barrier to male sex workers accessing sex worker specific health services.</p> <p>Male sex workers may have lower HIV prevalence than other MSM due to a higher propensity to use condoms with non-paying partners – but this is a mixed picture globally. In one study male sex workers in Sydney, Australia had lower HIV prevalence than other MSM due to lower propensity for unprotected sex with non-paying partners. In China, similar lower HIV prevalence amongst “money boys” than other MSM is noted.</p> <p>Police abuse of male sex workers and evidence of condoms being used to prosecute complicates safer sex work with male sex workers.</p> <p>Caveats: this paper takes a global view, so findings although applicable and generalizable in global terms may not be specifically applicable to Sheffield or the UK. This paper is focussed on selling sex rather than sexual entertainment.</p>	<p>Evidence-based and human rights affirming services dedicated specifically to male sex workers are needed to improve health outcomes for these men and the people within their sexual networks.</p> <p>Decriminalisation of sex work and access to protective public health and legal structures would probably improve understanding of health issues specific to male sex workers, increase service uptake, and—from an occupational health perspective—foster better working conditions.</p>
SEV 25	<p><i>Maia Rusakova, Aliya Rakhmetova, *Steffanie A Strathdee (2014)</i> Why are sex workers who use substances at risk for HIV?</p>	<p>Sex workers who inject drugs can acquire HIV through unprotected sex or syringe sharing.</p> <p>Sex workers who are alcohol or drug dependent are more likely to engage in transactions while under the influence of substances and might earn less per transaction.</p>	<p>Although empowerment of sex workers has been pivotal to HIV prevention successes in many countries, such programmes have tended not to focus on</p>

	<p>www.thelancet.com <b>Vol 385</b>  <b>January 17, 2015</b>  Published Online  July 22, 2014  <a href="http://dx.doi.org/10.1016/S0140-6736(14)61042-4">http://dx.doi.org/10.1016/S0140-6736(14)61042-4</a></p>	<p>Drug users may feel more pressure to acquiesce to clients' demands for unprotected sex, especially if offered more money or drugs.</p> <p>Sex workers' intimate male partners and clients often engage in behaviours with high risk of HIV infection.</p> <p>Drugs may be used as a form of coercion or control of sex workers.</p> <p>Injecting drug users are more likely to work outdoors exposing them to greater risks as injecting drug use is stigmatised in indoor venues.</p> <p>Injecting drug use is associated with elevated HIV risks in sex workers. In 20 countries worldwide, HIV prevalence was higher in female injectors than male injectors. There is high prevalence of injecting drug use amongst female sex workers in some Eastern European countries (e.g. Russia).</p> <p>(Caveat: article deals with onward sexual transmission of HIV and therefore selling sex rather than non-touch sexual entertainment)</p>	<p>sex workers who inject or use drugs, in part because they are even more marginalised.</p> <p>Policy makers should consider the particular health and support needs of sex workers who inject drugs.</p>
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# 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

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## 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

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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

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

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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]

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

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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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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@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](#)

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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.gov.uk](#)  
**Subject:** Fw: Sex establishment policy consultation  
**Date:** 03 July 2019 13:32:45  
**Attachments:** [SCC SE Policy for consultation 2019.docx](#)

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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.

**“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;

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it is unlikely that a licence will be granted.

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;

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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).

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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.

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

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.

**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.

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.

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**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.
- 4. 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.

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**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.

**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

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**

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@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 03 July 2019 17:37:50

---

Introduce a policy for ZERO strip clubs in Sheffield

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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?

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

---

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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@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 03 July 2019 17:52:05

---

### Introduce a policy for ZERO strip clubs in Sheffield

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

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[REDACTED]

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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

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125 Ecclesall Road South Sheffield S11 9PJ

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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

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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

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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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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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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

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Sent from my iPhone

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

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Sent from my iPhone

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

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[REDACTED]

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[REDACTED]

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

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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

---

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[REDACTED]

[REDACTED]

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

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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.

[REDACTED]

From: [REDACTED]  
To: [licensing@service](#)  
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@service](#)  
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

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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).

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?

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)
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:** 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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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

---

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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

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:** 01 October 2019 17:46:30

---

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

1. There is NO LOCATION that is appropriate
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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

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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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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 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@service](#)  
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]

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](#)

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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.

Final draft

## 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'<sup>1</sup>

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.<sup>2</sup>

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

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<sup>1</sup> Email from Matthew Proctor 4/11/2016

<sup>2</sup> FOI response to WEP Reference FOI 3150 16<sup>th</sup> 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 research<sup>3</sup> highlighting male gendered expectations to attend strip clubs but which were not enjoyed by all attendees. We also have heard from men who felt pressurized to go to strip clubs and felt uncomfortable in the environment and did not welcome the attention of performers. In

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<sup>3</sup>Briggs, 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 2016<sup>4</sup> that 'According to figures released by professional stage (sic, should read 'stag') do specialists *The Stag Company*, there has been a 47% drop in lap dancing requests.

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'.<sup>5</sup> 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 2010<sup>6</sup>; 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 licensing<sup>7</sup> as being based on:

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

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

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

but suggests that:

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

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

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

<sup>5</sup><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 16<sup>th</sup> May 2016 with regard to Spearmint Rhino.

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

<sup>7</sup>Policing and Crime Act 2009

<sup>8</sup> Kolvin, 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 . . .)'<sup>9</sup>

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)<sup>10</sup>

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**

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<sup>9</sup> Op cit

<sup>10</sup>[https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting\\_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf](https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf)

**places in which you can all pretend that feminism never happened.'**<sup>11</sup>(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.**'<sup>12</sup> (emphasis added).

A journalist who investigated lapdancing clubs concluded:

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

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'<sup>13</sup>, 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.<sup>14</sup>

Recent research conducted by Dr Maggie Wykes at the University of Sheffield<sup>15</sup> found that the emotional after-effects of an [sexual harassment] incident are: uncomfortable 80%; frightened 40%; angry 60%; embarrassed 50%; disgusted 45%. The biggest behavioural responses to the experience were: avoid going out at night; avoid going out alone; try to change appearance. When asked if they had told anyone, 70% had told a friend. When asked if they had reported the harassment to the police, responses were: 70+% thought it was not serious enough; 16% were too embarrassed; 22% didn't think anyone could help. Nottinghamshire Police has now classified such harassment as a misogynistic hate crime.<sup>16</sup>

Sexual harassment is a commonplace experience in women's everyday lives (see for example the Everyday Sexism Project<sup>17</sup>) and women do not expect to be taken seriously if they do report it (indeed, 85% of *rapes* are never reported<sup>18</sup> 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':

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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 11<sup>th</sup> 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*. 13<sup>th</sup> 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.'<sup>19</sup>

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 16<sup>th</sup> 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.'<sup>20</sup>

There are other views that are in the public domain, primarily those gathered by former dancer Jennifer Hayashi Danns in research for her 2011 book<sup>21</sup> and those gathered in a consultation run by the former charity Object<sup>22</sup>. A further example is:

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

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

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

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

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

<sup>23</sup>*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."

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

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

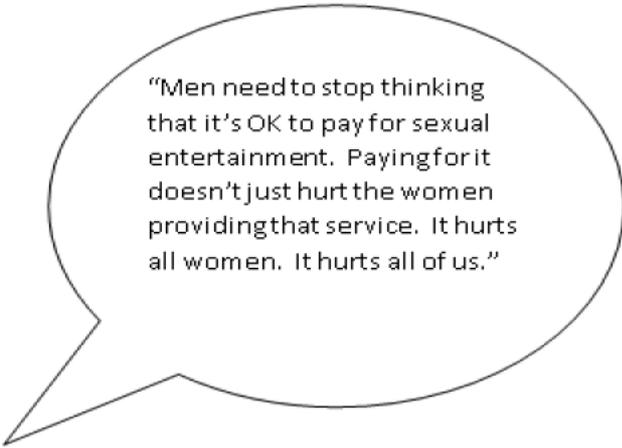
"Men would come in and ask the manager did she have any black girls and I would be wheeled out like a prize cow. At the time it seemed normal, but with hindsight..."

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

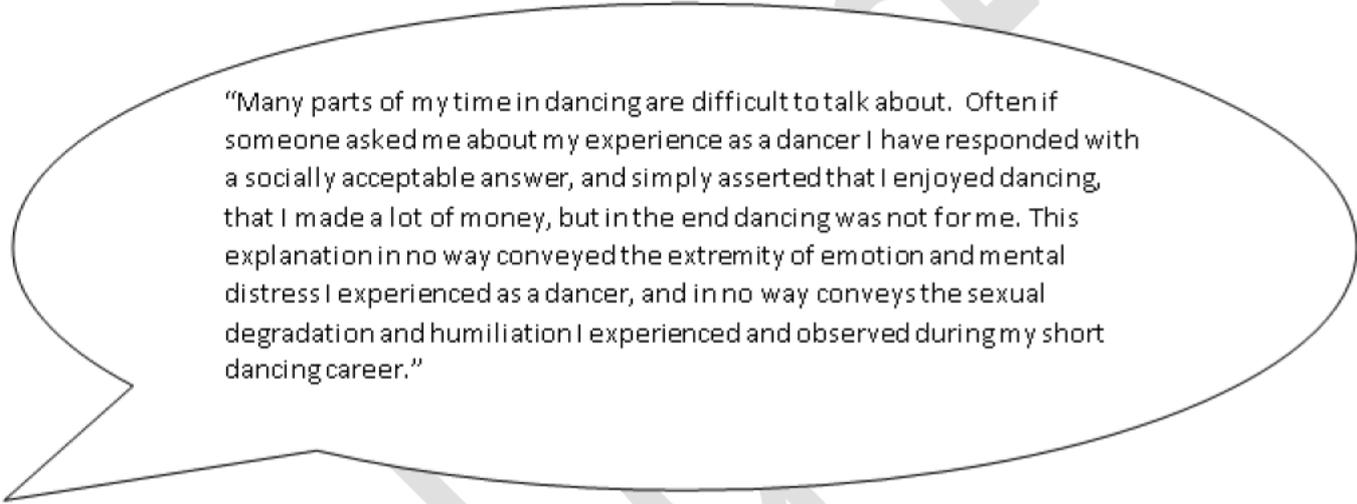
"No- one is the same after working in the industry. You get used to being treated as a second class citizen"

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

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



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



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

Performers at the clubs are self-employed women, while others who work in SEVs (e.g. door staff) tend to have employment contracts with associated job security and privileges. Research shows that women who work in SEVs are subject to high levels of abusive behaviour by customers; research in the U.S. (Holsopple 1998)<sup>24</sup> found that 100% of the women working in lap dancing who were surveyed reported that they had experienced physical violence from customers. All the women had been sexually abused and verbally harassed in the club. Sanders & Hardy in 2011<sup>25</sup> highlighted how almost half the SEV workers interviewed in their UK study reported frequent verbal harassment and unwanted touching from customers (in other words, sexual assault)<sup>26</sup>. 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,

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<sup>24</sup>Holsopple, K (1998). Strip Clubs According to Strippers: Exposing Workplace Sexual Violence, available online at <http://www.uri.edu/artsci/wms/hughes/stripc1.htm>

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

<sup>26</sup>[http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory\\_Dance/FINALSUMMARYjAN2012.pdf](http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory_Dance/FINALSUMMARYjAN2012.pdf)

in December 2016 it was reported that men are secretly filming performers and posting the videos online, both without their consent<sup>27</sup>.

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.

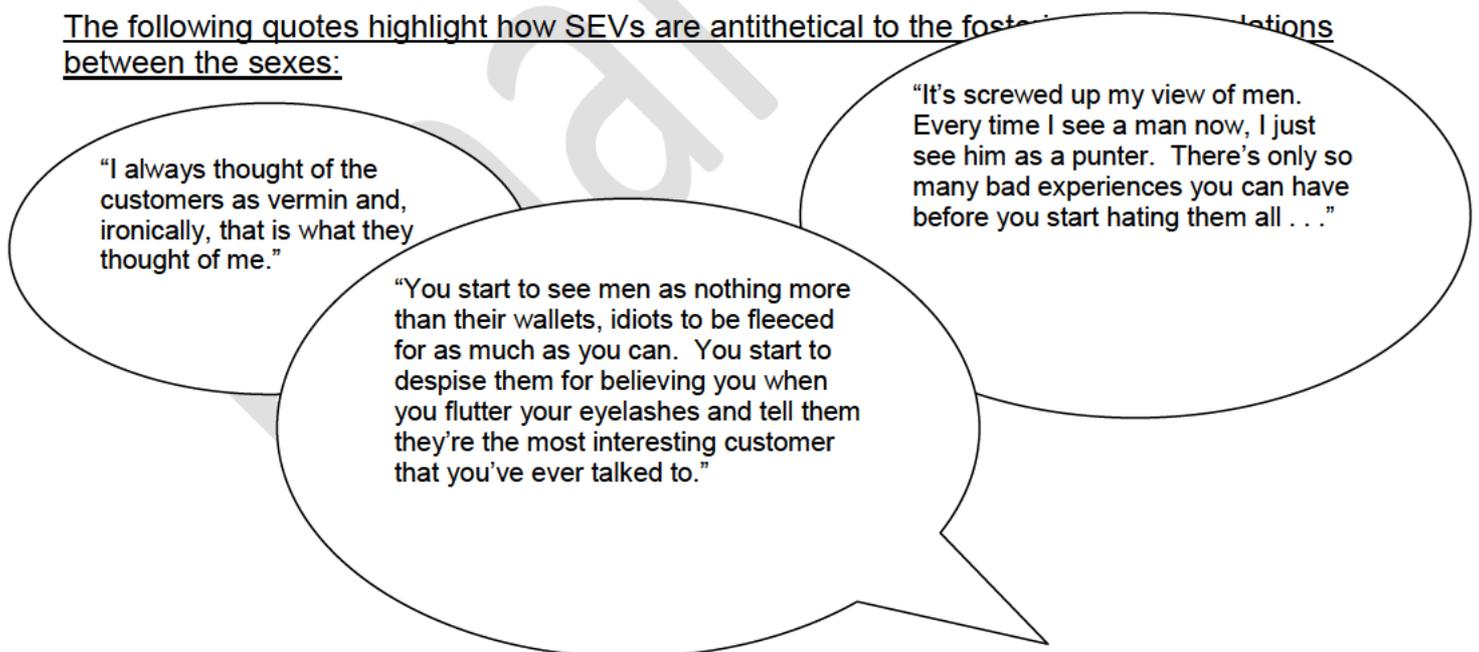
Council CCTV saw a male with blood on his face outside club. Police attended and door staff stated that the male had been touching the dancers. The male had then got behind the bar before being ejected from the club. The male refused to give any details about the incident. There were no allegations from 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.<sup>28</sup> 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.'<sup>29</sup> Danns also highlights the link between men's dehumanisation of women performers in SEVs which runs counter to any notion of gender equality that any Council, or indeed any official body, claims to promote: 'a sex worker describes punters who came straight from lap dancing clubs as unwilling to acknowledge that women were human or individual . . . There was a very aggressive 'pack mentality' and they would . . . make very degrading comments about the way that women looked.'<sup>30</sup>

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



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

<sup>28</sup> 9<sup>th</sup> January 2017 Ref: 20170005

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

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

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

In their UK study published in 2011 Sanders & Hardy<sup>31</sup> reported that 30% of the women performers interviewed said that as a result of doing the job they had lost respect for men, a finding echoed in the testimonies of former performers and which is of relevance to the Council's duty under equality legislation to have due regard to the need to foster good relations between men and women.

As these posters on a Digital Spy forum thread about strip clubs observe<sup>32</sup>

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

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

## **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).

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

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

<sup>33</sup>See for example: <http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club;>

<http://www.mumsnet.com/Talk/relationships/1245716-DH-went-to-strip-club-last-night-3-dances-Am-I-stupid-naive-to-feel-so-sad-about-it> ; <http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club;>

<http://www.mumsnet.com/Talk/relationships/a1626235-Husband-had-a-lap-dance> ;

[http://www.mumsnet.com/Talk/am\\_i\\_being\\_unreasonable/a2123339-Am-i-being-unreasonable-to-not-be-ok-with-my-husband-going-to-a-strip-club](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.’<sup>34</sup>

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 violence<sup>36</sup>. It states

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

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

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

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

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

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 campuses<sup>40</sup>.

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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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF)

37HM Government, *Ending Violence against Women and Girls Strategy 2016 – 2020* (p. 16) Available at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/522166/VAWG\\_Strategy\\_FINAL\\_PUBLICATION\\_MASTER\\_vRB.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF)

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

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

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

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

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

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

## 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.<sup>47</sup> Statistics obtained from **VIDA** show:

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

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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

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

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

- 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 work<sup>48</sup>

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 2<sup>nd</sup> January 2017 revealed that sexual offences reported in the city in 2015 (631) were 98% higher than in 2013 when 318 were recorded.<sup>49</sup> 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.<sup>50</sup>

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.

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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 11<sup>th</sup> January 2017

In a multinational study of male violence against women published in 2013 by the United Nations<sup>51</sup>, the most common motivation of men who have admitted to rape is the **belief that they are entitled to sex** even without the female partner's consent. This study interviewed 10,000 men and 1 in 4 had raped their wife, their partner or another woman. That is not an insignificant minority of men. Entitlement, which is the stock in trade of lap dancing clubs, is the main motivation given by men who rape. The most commonly identified attitudinal risk factor for men's sexual and domestic violence and coercion against women globally stems from gender inequality - a belief in the dominance of men, and their needs or wishes and bodies, over women.<sup>52</sup>

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'.<sup>53</sup>

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'**<sup>54</sup>. SEVs provide alcohol and encourage sexual objectification.

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

 The sexual objectification of women, as encouraged by and practised in SEVs, acts to reinforce gender inequality<sup>55</sup>.

 Sexual objectification dehumanises women<sup>56</sup>.

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

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

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

<sup>54</sup>Gervais, 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

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

<sup>56</sup>Loughnan 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 industry<sup>57</sup>.
- After being exposed to images that sexually objectify women, men are significantly more accepting of sexual harassment, interpersonal violence, rape myths and sex role stereotypes – all of which act to reinforce gender inequality<sup>58</sup>. Importantly, this increased acceptance of harmful attitudes is not confined to particular women but generalises to women as a group.

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

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

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

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

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

### 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

<sup>57</sup>Simmons et al. (2008) *Violence Against Women* 14: 406

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

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

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

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 2016<sup>61</sup>:

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

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

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

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

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

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

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

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

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

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

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

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

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

They also note that:

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

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

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

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

## 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).

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<sup>66</sup>[http://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](http://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)

<sup>67</sup><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’<sup>68</sup> 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.’<sup>69</sup>

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; Havering<sup>70</sup>; Camden<sup>71</sup>
- Nil cap but with grandfather rights: - Newcastle<sup>72</sup>; Coventry<sup>73</sup>

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<sup>68</sup> Kolvin, P. (2010) *Sex Licensing*, The Institute of Licensing (p.60)

<sup>69</sup> Kolvin, P. (2010) *Sex Licensing*, The Institute of Licensing (p. 82)

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

<sup>71</sup>[www.camden.gov.uk/%2Fccm%2Fcms-](http://www.camden.gov.uk/%2Fccm%2Fcms-service%2Fdownload%2Fasset%3Fasset_id%3D2642539&usg=AFQjCNH5B48mhpCQgEVZi4c2O7DsYFBSw&sig2=OtilefOV83E)

[service%2Fdownload%2Fasset%3Fasset\\_id%3D2642539&usg=AFQjCNH5B48mhpCQgEVZi4c2O7DsYFBSw&sig2=OtilefOV83E](http://www.camden.gov.uk/%2Fccm%2Fcms-service%2Fdownload%2Fasset%3Fasset_id%3D2642539&usg=AFQjCNH5B48mhpCQgEVZi4c2O7DsYFBSw&sig2=OtilefOV83E)

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<sup>72</sup>[https://www.newcastle.gov.uk/sites/default/files/wwwfileroot/business/licences/sev\\_policy\\_4\\_4\\_12.pdf](https://www.newcastle.gov.uk/sites/default/files/wwwfileroot/business/licences/sev_policy_4_4_12.pdf)

- Nil cap: North Tyneside (all 8 SEVs to close<sup>74</sup>); Swansea<sup>75</sup>; Winchester<sup>76</sup>; Exeter<sup>77</sup>; Warwick<sup>78</sup>

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

<sup>73</sup>[http://www.coventry.gov.uk/downloads/file/8505/sexual\\_entertainment\\_venue\\_policy](http://www.coventry.gov.uk/downloads/file/8505/sexual_entertainment_venue_policy)

<sup>74</sup>[http://www.northtyneside.gov.uk/browse-display.shtml?p\\_ID=521816&p\\_subjectCategory=](http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=521816&p_subjectCategory=)

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

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

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

<sup>78</sup>[https://www.warwickdc.gov.uk/download/downloads/id/171/sex\\_establishment\\_licensing\\_policy](https://www.warwickdc.gov.uk/download/downloads/id/171/sex_establishment_licensing_policy)

Iceland in 2010 and the country ranked 1<sup>st</sup> place in the Global Gender Gap Report in 2012<sup>79</sup> and has consistently remained so until 2016.<sup>80</sup> It is believed that the country will be the first to close its gender pay gap completely.<sup>81</sup> Whereas the UK is slipping down the international league table on gender equality. In 2006, Britain was 9th in the World Economic Forum's gender equality league table. We currently rank 48th in the world for women's representation in parliament, and at the current rate of progress it will take 62 years to close the gender pay gap.<sup>82</sup>

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.'<sup>83</sup> In the context of SEVs a local authority policy that permits the licensing of SEVs contributes to normalisation in the same way which directly contradicts the Council's statement in the Policy that it wishes to work to combat the normalisation of the objectification of women.

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.'<sup>84</sup> 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* initiative<sup>85</sup> and the transformation of a former SEV in Bristol into a thriving and successful tapas bar which has a far

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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/sevlicencence>

85<http://www.sheffafter5.com/>

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

## 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)<sup>87</sup>

As Object (nd)<sup>88</sup> 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.'<sup>89</sup>

### 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 19<sup>th</sup> century Contagious Diseases Acts<sup>90</sup> 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.<sup>91</sup> Furthermore, there is a number of SEVs which have been found to be in breach of the 'no contact rule.'<sup>92</sup> There are

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<sup>86</sup>Communication with Bristol Fawcett Society

<sup>87</sup>[https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting\\_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf](https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf)

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

<sup>89</sup> 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)

<sup>90</sup><http://herstoria.com/?p=459>

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

<sup>92</sup> 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.bournemouthcho.co.uk/news/10786993.Lap\\_dancing\\_club\\_could\\_lose\\_licence\\_after\\_\\_\\_staff\\_get\\_too\\_close\\_to\\_customers\\_\\_\\_/](http://www.bournemouthcho.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\\_\\_\\_](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

Final draft

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

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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 3<sup>rd</sup> 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.<sup>94</sup>

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.**

<sup>94</sup><http://www.leeds.gov.uk/docs/Sex%20establishment%20licensing%20policy.pdf>  
 Page | 26

**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 Policy<sup>95</sup>:**

'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 Policy<sup>96</sup> notes that SEVs are not appropriate in the vicinity of:<sup>97</sup>**

- 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”

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

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

<sup>97</sup> <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 18<sup>th</sup> birthday."<sup>98</sup> 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.<sup>99</sup>

### 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

<sup>98</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419595/Working\\_Together\\_to\\_Safeguard\\_Children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf)

<sup>99</sup>'New changes to the law to give greater protection to vulnerable children.' [www.gov.uk](http://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 2003<sup>100</sup> makes it an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises. In light of the recent case of Gil David who it is reported claimed that Spearmint Rhino had "exploited" his drunkenness and stated "I wasn't in control of my faculties and didn't realise what I was spending." He added "I was coerced into spending a third of my salary in five hours."<sup>101</sup> 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*<sup>102</sup>, *Lose the Lad Mags*<sup>103</sup> and *Banknote*<sup>104</sup> campaigns.

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

<sup>100</sup>[http://www.cps.gov.uk/legal/l\\_to\\_o/licensing\\_of\\_alcohol/#introduction](http://www.cps.gov.uk/legal/l_to_o/licensing_of_alcohol/#introduction)

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

<sup>102</sup>[https://en.wikipedia.org/wiki/No\\_More\\_Page\\_3](https://en.wikipedia.org/wiki/No_More_Page_3)

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

<sup>104</sup><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)<sup>105</sup>

This, combined with growing evidence that many men are eschewing the traditional stag night strip club outing and the growing number of license refusals<sup>106</sup> 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)<sup>107</sup>

**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.

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

<sup>106</sup><https://sevlicensing.wordpress.com/about/> see also Eden Lounge Exeter

<http://www.exeterexpressandecho.co.uk/exeter-strip-club-eden-lounge-loses-licence/story-27522405-detail/story.html>

<sup>107</sup>[https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting\\_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf](https://sheffield.citizenspace.com/place-business-strategy/sex-establishment-policy/supporting_documents/Sex%20Establishment%20Policy%20%20Draft%201.0.pdf)

Final draft

From: [REDACTED]  
To: [licensing@service](#)  
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 Spearment 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

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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@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 03 July 2019 21:47:52

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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

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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

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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

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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

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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.

Sent from my iPad

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

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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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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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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.

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@nia.org.uk](#)  
**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](#)

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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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Donations to **nia** can be made at: <http://www.justgiving.com/niaproject>  
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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 ents venues. Consequently, inherently contradictory to support sex ents venues 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 s 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 increase 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 bme 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 venues (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:

- to any person under the age of 18 years;
- 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;
- 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
- to a body corporate which is not incorporated in an EEA State; or
- 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, bud 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.

### 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.

**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.

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

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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@sheffield.gov.uk](#)  
**Subject:** zero strip clubs  
**Date:** 04 July 2019 20:06:43

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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

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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.
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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:** 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

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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

[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.

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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.

**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.

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

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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.

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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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.
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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 14:05:09

---

Introduce a policy for ZERO strip 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]  
-----  
*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.
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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

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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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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

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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.
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]



Virus-free. [www.avast.com](http://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

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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@service](#)  
**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.

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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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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 [Mail](#) for Windows 10

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

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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).
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: 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.

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.

Regards

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**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]

**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.  
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 iPad

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# APPENDIX B

Stage One Comments

(Objectors 50 to 99)

**From:** [REDACTED]  
**To:** [licensing@sheffield.gov.uk](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 03 July 2019 17:47:32

---

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?

Regards,

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 23 August 2019 13:38:25

---

I am emailing regarding your consultation on your strip club policy. I am extremely concerned about the proposal that there be no limits on the number that will operate - and this despite your own report on Spearmint Rhino operating as some form of brothel.

I would call on you to introduce a policy for ZERO strip clubs given that no location could be deemed appropriate. It the nature, and not the location, of strip clubs that should be of primary concern.

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

Also I would call on you to 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).

It would be beneficial for there to be 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.

Women can, and do, speak out against the industry - the ONLY reliable source of information. The fact that at times they only feel safe and able to do so after they have left the industry speaks volumes about the coercive and abusive nature of many of these operations. They need proper exit support.

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.

Thank you

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 24 September 2019 14:05:41

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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

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 17:52:21

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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:** Response to SEV Licensing Consultation  
**Date:** 23 August 2019 15:28:58

---

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.

From: [REDACTED]  
To: [licensing@london.gov.uk](mailto:licensing@london.gov.uk)  
Date: 23 August 2019 15:52:18

---

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

[Sent from Yahoo Mail for iPhone](#)

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Date:** 23 August 2019 16:28:33

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I am against any strip clubs opening anywhere.  
It is bad for women, it is bad for society.  
We are better than this.

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 26 August 2019 20:57:44

---

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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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]

Sent from my iPhone

**From:** [REDACTED]  
**To:** [licensing@sheffield.gov.uk](#)  
**Subject:** Sheffield's SEV Licensing Consultation  
**Date:** 27 August 2019 14:45:35

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I am a specialist in the prevention of violence against women and girls.

I write to recommend that you introduce a 'nil cap' policy for sexual entertainment venues. Such a policy in my view will be effective at curbing the 'licensed sexism' reproduced daily in SEVs. The core activity sold in SEVs - women taking their clothes off for men's money - demonstrates and encourages the development of attitudes that are known to be supportive of violence against women as well as sexism more generally. I am sure that an evidence-based impact assessment conducted by specialists in understanding the causes and the prevention of violence against women in the context of inequality between the sexes will confirm this. Short-term impact upon individual women who currently work in the trade may result, however the positive impact for all women in your area will be far-reaching and long-lasting. Your offer as a 21st-century University city will also be enhanced. Please ensure that a short term funded programme to assist current performers to exit the industry is implemented alongside the nil cap.

Sincerely

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing.service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 08 September 2019 15:41:23

---

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)
  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 [Mail](#) for Windows 10

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 08 September 2019 23:16:29

---

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

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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

[REDACTED]  
Sent from my iPhone

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 24 September 2019 06:33:11

---

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

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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:** 29 October 2019 21:48:24

---

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:** 24 September 2019 09:54:48

---

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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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@sheffield.gov.uk](#)  
Subject: Policy for number of SEVs in Sheffield  
Date: 24 September 2019 14:02:51

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Dear Licensing

I urge you to introduce a policy for ZERO strip clubs including the following:

1. There is NO LOCATION in a city 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 – an 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 (eg La Chambre, where there has been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from Sheffield's Swingers Clubs).
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. Please take action on testimonies from women from the 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.



**From:** [REDACTED]  
**To:** [licensing@sew.gov.uk](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 24 September 2019 15:23:17

---

Hi 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
- From Margaret Rosemary  
3 Strathtay Rd, Sheffield S11 7GU

Sent from my iPhone

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 30 October 2019 15:22:56

---

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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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:** 24 September 2019 16:10:27

---

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
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6. Quality EXIT SUPPORT must be offered to all lap dancers for any strip club that is shut

[REDACTED]  
Sent from my Samsung Galaxy smartphone.

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Sheffield strip club policy  
Date: 24 September 2019 16:35:11

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Dear Licensing

You MUST Introduce a policy for ZERO strip clubs:

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 (eg La Chambre, where there has been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from Sheffield's Swingers Clubs).

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 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.



**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 24 September 2019 19:09:22

---

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

[Sent from Yahoo Mail on Android](#)

**From:** [REDACTED]  
**To:** [licensing@sew.gov.uk](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 24 September 2019 20:17:25

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In response to the your consultation, to put NO LIMITS on the number of clubs that may operate - despite its own report exposing its one current strip club, of the highly respectable Spearmint Rhino chain, operating as a form of brothel: lap dancers having to provide extensive sexual contact to make even £20 with a VIP being 2 women having sex with each other.

This is disgusting, misogynistic and harms ALL women. Stop treating us like we're objects and creating policies that encourage others to.

Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
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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

Do the right thing by women.

[REDACTED]

[Sent from Yahoo Mail on Android](#)

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 25 September 2019 02:52:18

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Introduce a policy for ZERO strip clubs:

1. There is NO LOCATION that is appropriate
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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 Yahoo Mail on Android](#)

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Consultation on licensing policy in strip clubs  
**Date:** 25 September 2019 08:25:32

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Dear Licensing Service

Sheffield is consulting on its strip club policy. Your proposed new policy puts NO LIMITS on the number of clubs that may operate.

You MUST Introduce a policy for ZERO strip clubs:

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 (eg La Chambre, where there has been a rape conviction) in the same way as strip clubs (this might entail removing 'viewing galleries' from Sheffield's Swingers Clubs).
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 ACTION on testimonies from women from the 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.

I look forward to your response.

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 25 September 2019 10:19:23

---

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

All the best,

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** SHEFFIELD: Response to SEV Licensing Consultation  
**Date:** 30 September 2019 10:37:54

---

We were sent this email below by a woman who worked in strip clubs and was a victim of abuse and trafficking linked to them.

Understandably she is unwilling to send in an objection herself due to the recent issue of leaked emails.

Please accept this objection from her

Thank you

[REDACTED]

[REDACTED]

I am objecting to the concept that women's bodies can be bought and sold as commodities. This concept is outdated and damages women's autonomy within society. The ideology increases violence against women, statistically this manifests within the parameters and surrounding areas of SEV's. It restricts women's freedom of movement in public, creating no-go zones. It restricts women on an economic scale as the false belief that sex work is the only way to make good money for working class women is peddled before an informed choice can be made due to the recruited dancers typically being of very young age.

There are many reasons why SEV's overall are damaging for women and men who attend them one being that they are an offshoot of colonialism where BAME dancers are often treated far worse than white women, they are fetishized and dehumanised racially.

SEV's act as a gateway to prostitution because it normalises sexual servitude to men and the purchasing of sexual consent, pimps know this and use it to their advantage, often posing as customers, infiltrating clubs on a nationwide scale. With that being said, it is impossible to separate the criminal and the legal even in the cleanest of clubs by virtue of the very structure and power imbalance of the industry itself.

Please introduce a zero policy for ALL SEV's as outlined below

Yours sincerely a survivor of SEV's and human trafficking within them.

Introduce a policy for ZERO strip clubs:

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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 like La Chambre - where there has now been TWO RAPES (and probably numerous more that go un-reported)

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

**From:** [REDACTED]  
**To:** [licensing@service.gov.uk](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 17:43:55

---

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

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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 Yahoo Mail on Android](#)

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

---

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

Get [Outlook for Android](#)

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 18:12:30

---

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

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**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 18:13:23

---

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[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 18:19:39

---

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

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**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 18:21:24

---

To whom it may concern,

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

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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

Kind regards,

[REDACTED]

From: [REDACTED]  
To: [licensing@service](#)  
Subject: ZERO SEVs  
Date: 01 October 2019 19:15:56

---

Dear Licensing

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

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.

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 19:39:19

---

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

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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:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 20:50:26

---

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

1. There is NO LOCATION that is appropriate
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Sent from my iPad

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 14:44:18

---

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

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Sent from my iPad

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 22:26:16

---

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Sent from my iPad

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 17:23:55

---

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Sent from my iPad

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 23:14:30

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Sent from my iPhone

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 23:21:53

---

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Sent from my iPad

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 14:23:21

---

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Sent from my iPad

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 01 October 2019 23:46:06

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

Sincerely

[REDACTED]

©

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 21:28:44

---

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Sincerely

[REDACTED]  
©

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 02 October 2019 09:14:35

---

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

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

From: [REDACTED]  
To: [licensing@service](#)  
Subject: Licensing of Sexual "Entertainment" venues  
Date: 02 October 2019 09:40:45

---

Dear Licensing

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

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.

This is the C.21. Time to start acting like it.

Regards,

A solid black rectangular redaction box covering the signature area.

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 02 October 2019 09:58:41

---

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

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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.

Yours Sincerely,

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Sexual Entertainment Venues  
**Date:** 02 October 2019 10:30:13

---

Dear Licensing

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

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.

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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. I was really shocked to hear on a TV programme (promoting a Sheffield brothel) that Sheffield City Council licensing it and other known brothels. This is illegal.



Virus-free. [www.avg.com](http://www.avg.com)

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** SEV Policy  
**Date:** 30 October 2019 08:40:30

---

Dear Licensing

## **Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield**

### **1. There is NO LOCATION that is appropriate**

### **2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

*Strip Clubs:* The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet 'dancing' there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs' employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when 'independent' inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

**4. Ensure TRAINING and regular refreshers for Councillors and Council staff**

This is urgently needed on safeguarding, the harm of the strip industry, the futility of regulatory measures and on SEV and Equality law. This must be carried out by those *harmed* by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates of the strip industry has done nothing whatsoever to alleviate its harm.

**5. Take strident action on WHISTLE BLOWING**

There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.**

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Yours sincerely,



From: [REDACTED]  
To: [licensing@service](#)  
Subject: Response to SEV Licensing Consultation  
Date: 02 October 2019 11:59:14

---

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

Kind Regards

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 02 October 2019 12:23:19

---

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**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 02 October 2019 15:51:24

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From: [REDACTED]  
To: [licensing@service](#)  
Subject: spearmint rhino  
Date: 04 October 2019 09:34:17

---

Dear Licensing

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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.



**From:** [REDACTED]  
**To:** [licensing@sheffield.gov.uk](#)  
**Subject:** Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield  
**Date:** 06 October 2019 22:21:05

---

Dear Licensing

## **Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield**

### **1. There is NO LOCATION that is appropriate**

### **2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

*Strip Clubs:* The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet 'dancing' there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs' employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when 'independent' inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

### **4. Ensure TRAINING and regular refreshers for Councillors and Council staff**

This is urgently needed on safeguarding, the harm of the strip industry, the futility of regulatory measures and on SEV and Equality law. This must be carried out by those *harmed* by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates

of the strip industry has done nothing whatsoever to alleviate its harm.

**5. Take strident action on WHISTLE BLOWING**

There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT** for all lap dancers for any strip club that is shut.

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

██████████

████████████████████

██████████

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 13 October 2019 09:10:44

---

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@sheffield.gov.uk](#)  
Subject: Strip club licensing  
Date: 26 October 2019 10:17:24

---

Dear Licensing

## **Introduce a policy for ZERO Sexual ‘Entertainment’ Venues in Sheffield**

### **1. There is NO LOCATION that is appropriate**

### **2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed ‘Swingers’ Club, complete with a ‘viewing gallery’.

*Strip Clubs:* The Council’s own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, ‘house mums’, a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet ‘dancing’ there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs’ employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when ‘independent’ inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

### **4. Ensure TRAINING and regular refreshers for Councillors and Council staff**

This is urgently needed on safeguarding, the harm of the strip industry, the futility of regulatory measures and on SEV and Equality law. This must be carried out by those *harmed* by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates of the strip industry has done nothing whatsoever to alleviate its harm.

### **5. Take strident action on WHISTLE BLOWING**

There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT** for all lap dancers for any strip club that is shut.

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

These measures would reduce crime and make women and girls in Sheffield safer

yours sincerely

A solid black rectangular box used to redact the signature of the sender.

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Objection to Unlimited Strip Club Licensing Proposal  
**Date:** 27 October 2019 00:42:43

---

Dear sir/madame

I am emailing to register my objection to the unlimited strip club licensing proposal.

I recently gave testimony at the Greater Manchester Citizens Go/Law Commission hearing on making misogyny a hate crime. There, I spoke about my experiences of being sexually harassed and stalked by men outside a brothel near where I live in Manchester. I have also witnessed harassment of women, including myself outside strip venues in Manchester where I, along with several others, recorded footage of this.

Strip clubs, like brothels, are sex encounter venues that attract men to the area who objectify and abuse women both inside and outside these venues. This makes the neighbourhood more dangerous for women and girls, and encourages discriminatory attitudes and behaviours towards females from men on the streets. The belief that women are inferior sex objects, which these clubs encourage, is carried through into these men's lives and actions in role as employers/ees, partners and parents. By licensing such venues the council is failing in its duty to uphold equal treatment and freedom from discrimination towards women, as a protected group under the Equality Act 2010.

Furthermore I would like to see the council take affirmative action to shut down the proliferation of illegal brothels in Sheffield, with supportive measures put in place to help the women being exploited in them to exit the sex trade.

Yours truly

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 27 October 2019 12:39:29

---

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

Regards,

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 27 October 2019 20:18:02

---

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

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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@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 27 October 2019 20:33:03

---

Please put the safety of women and girls first.

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

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 27 October 2019 21:30:37

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RE: 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

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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

Women's bodies should not be for sale in any way.

[REDACTED]

Sent from my iPhone

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 27 October 2019 22:19:55

---

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

[REDACTED]

Sent from my iPhone

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# APPENDIX B

Stage One Comments

(Objectors 100 to 152)

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Response to SEV Licensing Consultation  
Date: 28 October 2019 07:13:14

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Women are not a commodity. Women and girls deserve respect and consideration. Males will not die if they cannot view females in a state of undress.

Bearing in mind women are human I am asking that you introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues) in Sheffield and surrounding areas.

1. There is NO LOCATION that is appropriate for the exploitation of women
2. Breaches of HEALTH and SAFETY, EQUALITY LAW, LAWS AGAINST PROSTITUTION cannot be prevented if you allow any sexual entertainment venues

As you are well aware 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

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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]

[Sent from Yahoo Mail for iPad](#)

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Licensing of Sexual Entertainment Venues  
Date: 28 October 2019 08:07:05

---

Dear Licensing

## **Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield**

### **1. There is NO LOCATION that is appropriate**

### **2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

*Strip Clubs:* The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet 'dancing' there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs' employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when 'independent' inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

**4. Ensure TRAINING and regular refreshers for Councillors and Council staff**

This is urgently needed on safeguarding, the harm of the strip industry, the futility of regulatory measures and on SEV and Equality law. This must be carried out by those *harmed* by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates of the strip industry has done nothing whatsoever to alleviate its harm.

**5. Take strident action on WHISTLE BLOWING**

There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.**

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 28 October 2019 09:26:00

---

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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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:** 28 October 2019 09:46:53

---

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

Get [Outlook for Android](#)

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)  
Subject: Objection to unlimited Strip club license proposal  
Date: 28 October 2019 15:17:46

---

Dear Licensing

I am emailing to record my support for Not Buying's objections to your unlimited strip club licensing proposal. I would like to see a policy introduced of NO sexual entertainment/encounter venues in Sheffield.

**1. There is NO LOCATION that is appropriate**

**2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

*Strip Clubs:* The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

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These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Regards



**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 28 October 2019 15:38:03

---

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

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

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 28 October 2019 15:55:44

---

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Sent from my iPhone

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 28 October 2019 17:25:41

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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 %20 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 Yahoo Mail on Android](#)

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Strip clubs  
Date: 28 October 2019 17:43:47

---

Dear Licensing

## **Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield**

### **1. There is NO LOCATION that is appropriate**

### **2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

*Strip Clubs:* The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet 'dancing' there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs' employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when 'independent' inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

### **4. Ensure TRAINING and regular refreshers for Councillors and Council staff**

This is urgently needed on safeguarding, the harm of the strip industry, the futility of regulatory measures and on SEV and Equality law. This must be carried out by those *harmed* by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates of the strip industry has done nothing whatsoever to alleviate its harm.

**5. Take strident action on WHISTLE BLOWING**

There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.**

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Sent from my Huawei phone

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 28 October 2019 20:07:56

---

I call for the Introduction of a policy for ZERO SEVs (Sexual 'Entertainment' Venues):

There is NO LOCATION that is appropriate

There are numerous records of breaches of HEALTH and SAFETY, EQUALITY LAW, and LAWS AGAINST PROSTITUTION.

Undercover investigations UK wide show it is impossible to regulate strip clubs to ensure they comply with the law -

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

In addition The council must

1. Stop licensing SWINGERS CLUBS like La Chambre, where there have already been TWO RAPES, including 1 conviction, and God knows how many unreported assaults.
2. 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
3. Take STRIDENT ACTION on testimonies of women who speak out against the industry
4. Offer Quality EXIT SUPPORT must be offered to all dancers when any SEV is shut

[REDACTED]

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: RE: Sexual Entertainment Venues in Sheffield  
Date: 28 October 2019 23:59:13

---

Dear Licensing,

My name is [REDACTED], I'm an activist, and journalist, and I'm contacting you today to ask you to consider introduces a policy banning Sexual 'Entertainment' Venues in the Sheffield area.

The reasons you should consider this proposal are listed below, and are widely supported by many Sheffield residents and parents, as well as many concerned women and men, worried about the ongoing sexualisation that is being pushed for by those who seek to make money from the exploitative, yet profit making sex trade.

***This is why Sexual Entertainment Venues have NO place in Sheffield:***

**1. There is NO LOCATION that is appropriate**

Many people are highly concerned about the increasing appearance of sexual venues, which endanger women by portraying them as objects to be purchased and consumed, impacting on our society and degrading local culture wherever they are installed.

**2. They are a breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

*Strip Clubs:* The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – and this was at the supposedly highly reputable, and stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are *still* testifying to this.

The entire strip industry operates by providing the promise of sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet 'dancing' there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs' employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when 'independent' inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

#### **4. Ensure TRAINING and regular refreshers for Councillors and Council staff**

This is urgently needed on safeguarding, the harm of the strip industry, the futility of regulatory measures and on SEV and Equality law. This must be carried out by those *harmed* by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates of the strip industry has done nothing whatsoever to alleviate its harm.

#### **5. Take strident action on WHISTLE BLOWING**

There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

#### **6. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.**

#### **7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

I urge you to consider the reasons why you should introduce a policy outlawing sexual entertainment venues in the Sheffield area. Residents, women, men, and our youth deserve better than a degraded culture where porn is normalised.

Strip clubs and sex venues not only impact on the local community but also the quality of life for everyone, as they poison healthy human interaction and erode respect for women.

Please be a voice that stands against this disturbing and increasing trend and stand against the pornographers and pimps who are attempting to encourage people to view women as commodities, so they can profit.

Thank you in advance for your time in this matter,



From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Strip clubs dehumanise women.  
Date: 29 October 2019 00:50:44

---

## Introduce a policy for **ZERO** Sexual 'Entertainment' Venues in Sheffield

### 1. There is **NO LOCATION** that is appropriate

### 2. Breach of Safeguarding & Licensing, Equality and Criminal Law

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

*Strip Clubs:* The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet 'dancing' there also involves widespread sexual contact and women trying to prostitute themselves.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerning, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

### 4. Ensure **TRAINING** and regular refreshers for Councillors and Council staff

This is urgently needed on safeguarding, the harm of the strip industry, the futility of regulatory measures and on SEV and Equality law. This must be carried out by those *harmed* by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates of the strip industry has done nothing whatsoever to alleviate its harm.

### 5. Take strident action on **WHISTLE BLOWING**

There must be an easy means for women from sexual 'entertainment' venues to whistle blow

and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT** for all lap dancers for any strip club that is shut.

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Strip clubs make a mockery of what it means to be a Labour council.

For God's sake start acting like decent human beings who respect and love and honour the dignity of your sisters and daughters and lovers.



**From:** [REDACTED]  
**To:** [licensing@sheffield.gov.uk](#)  
**Subject:** Sex establishment policy consultation  
**Date:** 29 October 2019 08:06:42

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Dear Sheffield Licensing

We are calling on the Council to adopt a nil cap in its new sex establishment policy.

No location is appropriate for a sex establishment.

We support submissions made by Not Buying It Sheffield and Zero Option. Strip clubs are incompatible with the Public Sector Equality Duty.

Yours

[REDACTED]

Sent from my Samsung Galaxy smartphone.

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Sex establishment Policy Consultation  
**Date:** 29 October 2019 11:34:38  
**Attachments:** [Sex Establishment Policy Consultation.pdf](#)

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I attach my submission to your review of current Sex Establishment Policy .  
I would be grateful for a written acknowledgement of receipt.

Can I point out that your notice in citizen space is contradictory and confusing re  
dates of consultation (8th July and 31st October end dates ). This needs to be  
corrected.

[REDACTED]

**M: 07711313210**

**Sex Establishment Policy Consultation****Submission by [REDACTED] a personal capacity**

In support of the refresh of the current Sex Entertainment Venue policy for Sheffield City Council I wish to offer my submission to the redrafting of the 2011 policy on Sexual Entertainment Venues (SEVs) as a one of the Sheffield Fairness Commissioners, who reported in 2013, and as one of the principal lobbyists for a WHO supported Ageing Friendly Sheffield, currently now fully supported by Sheffield City Council (SCC) Cabinet. Additionally, I write as one of the small team of individual citizens working with Cllr. Iqbal in establishing the Equality Hub Network in 2013, a body who are meant to be the guardians of implementation of the Equality Act 2010 into SCC policy. Thus I offer this submission as someone who has spent his lifetime supporting and actively promoting equal treatment.

My emphasis is upon the adverse effect that the current policy framework and guidance has upon Sheffield citizens and has led to division and rancour between these individuals. Additionally I write as someone who has consistently objected to licensing of SEVs in the city and am appalled by the manner in which the current guidance has been circumvented by Councillors on the Licencing committees. **Thus my first point is to argue** that the guidance on location of licensed premises is too loose and subject to wide interpretation. Any new guidance (or policy) needs to be equivocal and perhaps state that no SEV must be licenced (if at all) within the area bounded by the Sheffield inner ring road. My preference would be for no licenced SEVs in Sheffield at all! Other submissions may be written from a legal lens citing various statutes. As I am not a lawyer I defer to their expertise but do submit that this issue is not only about legal considerations and obligations of the Council. Finally, I would urge any new policy to take full notice of the impact of the local policy developments in Sheffield since 2011 some of which are mentioned here. Sheffield is very much a different cultural and social place than it was in 2011. Indeed, and for example, the submission of Sheffield Hallam University on their plans for city centre campus and other similar Council led developments in the city centre should be recognised.

I would suggest that on this basis and if SCC is serious about equality, Sheffield should not have any SEV's since they run counter to the policy established through the actions, policy developments and the Commission mentioned above. Additionally, and in the light of very different interpersonal sexual relationships in the current epoch and the rise of the #MeToo and White Ribbon campaigns, licensing such establishments only continues to maintain the public patriarchy (Walby 1990) based sexual oppression and sexual objectification of women. Further, by a process of normalisation of such objectification, and female roles within such exchanges, it fundamentally serves to perpetuate the sexual harassment of women. The research evidence has been consistently unequivocal on this point, as I am sure many other submissions have made clear. As a democratic socialist led administration,

SCC could (should?) build a city which counters that prevailing culture. Indeed, its socialist credentials are suffering because they turn a blind eye to the continuing pustule that is Spearmint Rhino within our body politic. Then there is the additional consideration that the cost of yearly licensing hearings and the subsequent appeals and judicial reviews in light of severe financial pressures facing Council.

In terms of the first area mentioned above, that of the recommendations of the Sheffield Fairness Commission, and its response to these by SCC Cabinet (on 17<sup>th</sup> July 2013), cabinet set out how the Council

- wants to do all it can to help achieve the ambitious vision
- will be developing a new Corporate Plan and will incorporate the 10 principles within this new Plan.
- has a potential role to play in a large number of the Commission's recommendations and what the Council will be doing on the recommendations relevant to its work.

The fundamental aim was '.... ultimately about making the city a better place to live and work *for everyone* in the city'. By continuing to license the SEV in the city it has failed to live to that hyperbole. The drafting of the 2011 guidance was only bounded and dominated by an appreciation or interpretation of statute and not, as it should, by the wider social and cultural impact of giving sanction to the licensing of such venues, and more especially sex equality based issues. In short, it has perpetuated and condoned the objectification of women. Hence it has acted to counter the promotion of fairness and equality between the sexes, and against the meaning and value of the 10 principles of the Commissioners report. The SCC Cabinet response (By Cllr. Julie Dore, Leader of Council) was also too focussed upon amelioration of poverty in all its forms, and in my view misinterpreted the philosophical basis of the Sheffield Fairness Commissions report. This was based upon a Rawlsian conceptualisation of Fairness as Social Justice, and is set out in the early part of their report.

As to my second point, as recently as this year, Sheffield has been successful in applying to the World Health Organisation to become part of the global network of Age Friendly Cities. This significant act cannot be ignored. SCC cabinet has agreed to support such a plan to make Sheffield an Ageing Friendly City across all areas of policy implementation. The first iteration of this policy development is set out in the 2012 Paper 'A city for all ages' and contained within the Cabinet papers submitted for the 26<sup>th</sup> September 2012. These papers align with the WHO's view of what constitutes an Age Friendly City or Community – that is building a community where the physical and social environment for all ages are designed to support and enable people to age within an active ageing paradigm - that is, to live in security, to enjoy good physical and mental health and to continue to participate fully in society, socially, economically, culturally and politically. These are being implemented through 8 domains described by WHO as follows, grouped into three strategic areas:

### **A )Municipal Services**

Communication and Information  
Community Support and Health Services

### **B) Social Environment**

Civic Engagement  
Social Participation  
Social Inclusion and Discrimination

### **C) Physical Environment**

Transport  
Outdoor spaces and buildings  
Housing

Each of these domains clearly impacts upon each other. Yet for me and in relation to the development of an SEV policy that supports the Sheffield Ageing Friendly policy development must have regard to the Social Inclusion and Discrimination domain as its starting point. The WHO indicates that interventions in this domain aims,

... to create environments that are socially inclusive places, where all people – regardless of age, gender, social position, health or disability – are respected and have opportunities to participate and contribute. To enhance equity, it is crucial to complement population-based interventions with targeted efforts, reaching out to people most at risk of poor health and exclusion, understanding their specific needs and promoting their health and quality of life. (pg. 69 AFEE 2017)

This includes mental health. As has often been stated both orally and in writing at successive Spearmint Rhino (SR) licensing hearings, simply having the (SR) building affects women's health. Having any SEV acts in my view to hinder the development of an Ageing Friendly Sheffield that is free of social isolation and loneliness, that acts to be positively fully inclusive of all ages, genders, and every protect characteristic.

### References

- AFEE (2017) *Age-friendly environments in Europe A handbook of domains for policy action*  
WHO, Geneva  
Walby S (1990) *Public and Private Patriarchy*, Sage London.

From: [REDACTED]  
To: [licensing@service](#)  
Subject: Response to SEV Licensing Consultation  
Date: 29 October 2019 13:48:33

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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

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 14:07:52

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

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Sent from my iPad

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 14:29:21

---

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

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

Sent from my Samsung Galaxy smartphone.

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Sexual 'Entertainment' Venues in Sheffield  
Date: 29 October 2019 15:59:45

---

Dear Licensing

## **Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield**

### **1. There is NO LOCATION that is appropriate**

### **2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

*Strip Clubs:* The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet 'dancing' there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs' employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when 'independent' inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

**4. Ensure TRAINING and regular refreshers for Councillors and Council staff**

This is urgently needed on safeguarding, the harm of the strip industry, the futile of regulatory measures and on SEV and Equality law. This must be carried out by those *harmed* by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates of the strip industry has done nothing whatsoever to alleviate its harm.

**5. Take strident action on WHISTLE BLOWING**

There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.**

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Yours sincerely,



**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 16:20:13

---

Dear Sir/Madam,

You must :

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

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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.

Kind Regards,

[REDACTED]

Sent from my iPhone

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 16:30:41

---

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**From:** [REDACTED]  
**To:** [licensing@sheffield.gov.uk](#)  
**Subject:** Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield  
**Date:** 29 October 2019 16:52:03

---

Dear Licensing

## **Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield**

### **1. There is NO LOCATION that is appropriate**

### **2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

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There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT** for all lap dancers for any strip club that is shut.

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.



From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Sexual Violence Venues  
Date: 29 October 2019 17:39:26

---

Dear Licensing

## **Introduce a policy for ZERO Sexual ‘Entertainment’ Venues in Sheffield**

### **1. There is NO LOCATION that is appropriate**

### **2. Breach of Safeguarding & Licensing, Equality and Criminal Law**

*Swingers Clubs:* There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed ‘Swingers’ Club, complete with a ‘viewing gallery’.

*Strip Clubs:* The Council’s own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, ‘house mums’, a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet ‘dancing’ there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs’ employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when ‘independent’ inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

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Thank you



**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 29 October 2019 21:28:21

---

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

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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:** 29 October 2019 21:34:13

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Please recognise that it is your duty to rid society if these outdated establishments.

Do not use my name, contact details or address.

[REDACTED]

[REDACTED]

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Response to SEV Licensing Consultation  
Date: 29 October 2019 21:34:57

---

Dear Sheffield Council Licensing Committee

I believe the Council has a duty to pursue policy which will reduce sex inequality and foster a culture which respects women as full human beings rather than as sex objects who exist for the titillation and sexual gratification of men. The global sexual objectification of women culminates too often in sexual assault and rape. There are very real cultural changes needed in society's attitude towards women and preventing the opening of more sexual exploitation venues will be a good start.

I am calling on you to introduce a policy for ZERO SEVs (Sexual 'Entertainment' Venues).

For the following reasons:

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Best wishes

[REDACTED]

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Consultation  
Date: 29 October 2019 22:08:20

---

Dear Licensing

## Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield

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There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

**6. Provide Quality EXIT SUPPORT** for all lap dancers for any strip club that is shut.

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These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.



From: [REDACTED]  
To: [licensing@service](#)  
Subject: Response to SEV Licensing Consultation  
Date: 30 October 2019 00:28:05

---

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5. Take AFFIRMATIVE 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]

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Dear Licensing

LICENS  
29 OCT  
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Yours

Signature:



Print Name:

Dear Licensing

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Rec'd 29/11

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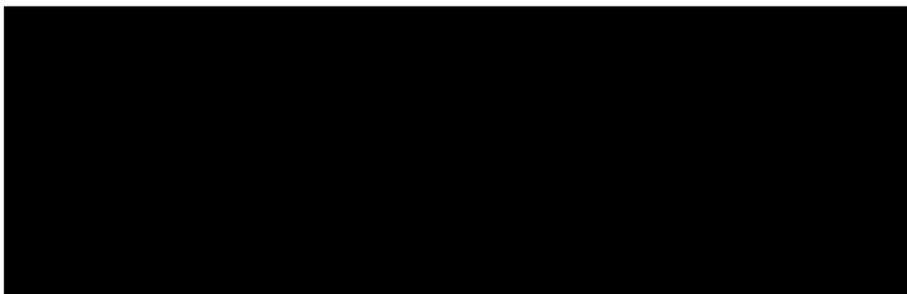
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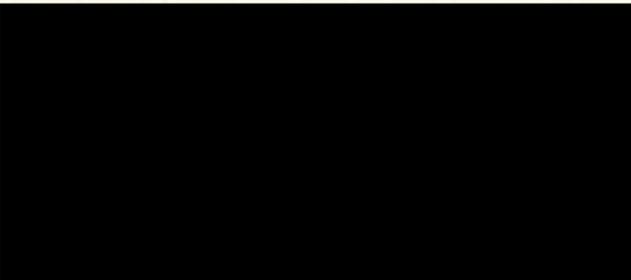
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**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 30 October 2019 07:09:42

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Sent from my iPhone

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response to SEV Licensing Consultation  
**Date:** 30 October 2019 11:13:49

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As a member of a licensing authority elsewhere I urge you to consider the damaging effect of sexual entertainment venues on women.

This has been recognised by the Institute of Planning in addition to a number of organisations concerned about the safeguarding of women and girls. The gendered nature of SEV's is proven to cause harm women within the clubs and on the public realm.

Highly sexed males leave these venues and are a threat to other women in the public realm.

What sort of message does it send to young people? That it is perfectly fine for men to pay women for sexual services.

Authorities up and down the country are recognising the damage and reducing the numbers where practically possible. The law is on your side to reduce it to zero.

If you feel unable to do that then remove the private booths in order to safeguard women.

Please apply the Equality Act and safeguard women.

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[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@sheffield.gov.uk](#)  
**Subject:** Sexual Entertainment Venue Policy consultation  
**Date:** 30 October 2019 14:58:37

---

Dear Licensing

We support Not Buying It Sheffield's and Zero Option Sheffield's responses to the policy consultation in:

The adoption a nil cap as the Council is entitled to do;

and

Suggested changes to the policy as proposed by Not Buying It Sheffield.

We look forward to hearing from you.

Best wishes

[REDACTED]

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Date: 30 October 2019 16:36:15

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear Licensing

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**6. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.**

**7. Take strident action against Sheffield's numerous BROTHELS**

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Yours sincerely

██████████

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)  
Subject: response to the sex establishment policy consultation  
Date: 30 October 2019 19:34:35

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Dear Licensing Officers

Here is my response to the response to the sex establishment policy consultation:

**Introduce a policy for ZERO Sexual ‘Entertainment’ Venues in Sheffield**

1. There is NO LOCATION that is appropriate for such venues.
2. BREACH of Safeguarding & Licensing, Equality and Criminal Law are frequent – e.g.,
  - Swingers Clubs: There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed ‘Swingers’ club, with a ‘viewing gallery’.
  - Strip Clubs: The Council’s own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club, of the Spearmint Rhino chain.

Breaches of Safeguarding & Licensing, Equality and Criminal Law are not prevented by Council, eg, there is supposed to be no sexual contact in strip clubs and yet this is what is on offer in clubs across the UK. And there is nothing Councils can do to prevent this. Spearmint Rhino Camden has 63 CCTV cameras and yet ‘dancing’ there also involves intimate sexual contact alongside women trying to prostitute themselves. Clubs’ employing in-house inspectors - as is now being practised at Spearmint Rhino Sheffield - is meaningless as a safeguarding strategy for preventing breaches of law because the head of the strip chain knows when these ‘independent’ inspections take place. It is well established that Strip clubs are also inherently linked to wider crime - drugs, dealers, fraud and, of course, as feeders for local brothels. It has been reported that pimps operate outside Spearmint Rhino Sheffield.

[http://3.TRAINING for Councillors and Council Staff](#)

Training and regular refreshers are needed for all councillors and staff on safeguarding, on the harm of the strip trade and how it evades regulation and on SEV and Equality law.

This must be carried out by those with first hand experience of having been harmed by the industry/their advocates. They are the only reliable source of information; training from advocates of the strip trade is partisan and has done nothing to alleviate its harm.

4. WHISTLE BLOWING. Facilitate whistle blowing from women who expose wrong doing in these venues and take strident action.
5. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.
6. BROTHELS. Close down Sheffield’s brothels. These are illegal and highly abusive. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Yours sincerely,

Signature: [REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Sex establishment policy consultation  
**Date:** 31 October 2019 07:05:01

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Dear Licensing

Following last year's judicial review when the 2017 Sex Establishment Policy was quashed, I support Not Buying It Sheffield's paper and call for Sheffield to adopt a nil cap of SEVs.

Yours

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Response - SEV Licensing Consultation  
**Date:** 31 October 2019 07:48:56

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Dear Licensing Team

My response is as follows:

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

1. There is NO LOCATION that is appropriate
2. Breaches 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. Stopping licensing SWINGERS CLUBS like La Chambre needs to happen urgently where there have already been TWO RAPES, including 1 conviction, and many unreported assaults.
4. Please ensure there are TRAINING and regular refresher courses 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. Please take action on testimonies of women who speak out against the industry.
6. Please commit to providing quality EXIT SUPPORT to all lap dancers when any SEV is shut.

Thank you

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Not Buying It  
**Date:** 31 October 2019 08:05:22

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Dear Licensing

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

Regards

[REDACTED]

**From:** [REDACTED]  
**To:** [licensing@sheffield.gov.uk](#)  
**Subject:** Sheffield Council - SEV policy  
**Date:** 31 October 2019 09:15:20

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Dear Licensing

I support Not Buying It Sheffield's paper and call on the council to adopt a nil cap of SEV's

Regards

[REDACTED]

[REDACTED]

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Sheffield SEV licensing consultation  
Date: 31 October 2019 10:12:00

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Dear Licensing

Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield

1. There is NO LOCATION that is appropriate.
2. BREACH of Safeguarding & Licensing, Equality and Criminal Law  
Swingers Clubs: There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, with a 'viewing gallery'.  
Strip Clubs:- The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club, of the supposedly highly reputable Spearmint Rhino chain.  
There is supposed to be no sexual contact in strip clubs and yet this is what is on offer in clubs across the UK. And there is nothing Councils can do to prevent this.  
Spearmint Rhino Camden has 63 CCTV cameras and yet 'dancing' there also involves intimate sexual contact alongside women trying to prostitute themselves.  
Clubs' employing in-house inspectors is meaningless, as is now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when these 'independent' inspections take place.  
Strip clubs are also inherently linked to wider crime - drugs, dealers, fraud and, of course, as feeders for local brothels. It has been reported that pimps operate outside Spearmint Rhino Sheffield.
3. TRAINING for Councillors and Council Staff  
Training and regular refreshers are needed for all councillors and staff on safeguarding, on the harm of the strip trade and how it evades regulation and on SEV and Equality law. This must be carried out by those harmed by the industry/their advocates. They are the only reliable source of information and training from advocates of the strip trade has done nothing to alleviate its harm.
4. WHISTLE BLOWING. Facilitate whistle blowing from women who expose wrong doing in these venues and take strident action.
5. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.
6. BROTHELS. Close down Sheffield's brothels. These are illegal and highly abusive. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.

Yours

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]  
To: [licensing-service](#)  
Subject: Response to SEV Licensing Consultation  
Date: 31 October 2019 10:17:59

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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](#)  
**Cc:** [Bower Claire](#)  
**Subject:** Submission for SEV Policy Consultation  
**Date:** 31 October 2019 11:57:10

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Dear Licensing Service,

Please find attached our submission to the SEV Policy Consultation.

We also have a second document showing the results of a consultation we carried out with our members and supporters in Sheffield. Please note however that this was carried out prior to the investigation of Spearmint Rhino. Unfortunately I am currently having problems with putting it into a format which I can share with you. I am currently away from Sheffield and as such do not have access to a printer or scanner, and I think that the best way of sharing it is going to be to print and scan it to you.

I hope therefore that you will accept it next week, I think that it will be very informative for the consultation. You will see that our members and supporters are very eloquent and passionate about this area of our policy.

We trust that this is helpful and look forward to hearing from you regarding the next stage of the consultation process.

Regards,

Charlotte Mead  
Branch Leader  
Sheffield

 [Final Submission re Sheffield City Council's po...](#)





## Submission re Sheffield City Council's policy on SEV licensing

1. WEP oppose Sheffield City Council's proposal to adopt a 'no limit' policy on Sexual Entertainment Venues (SEVs). It amounts to a failure to engage with the reality of lap dancing for the majority of the women working in the industry and its effect on the wider female population.
2. The council has a general duty to consider its responsibilities pursuant to section 149 of the Equality Act 2010 and have due regard to the need to:
  - a. Eliminate discrimination, harassment and victimisation.
  - b. Advance equality of opportunity between the sexes and
  - c. Foster good relations between the sexes.
3. Last year the High Court overturned Sheffield City Council's policy on SEVs. During the proceedings the Court endorsed the principle that the duty to promote or advance equality is a central obligation.
4. It must therefore be treated as a primary consideration when drafting the Council's new policy on SEV licences and reflected in any arguments put forward by the council in formulating its policy. Although the PSED is referred to, stating that the policy "includes a clear and unequivocal commitment to meeting the PSED", that commitment is not included and there is no reference to how the policy adheres to the legal responsibility of that duty.
5. The most likely applicants for SEVs are lap-dancing clubs or so called gentleman's clubs, although Sheffield does facilitate a number of sex shops, but currently no sex cinemas.
6. There is a common misconception that what goes on in lap dancing clubs is harmless fun, the modern incarnation of an old fashioned bawdy 'seaside postcard'. The reality of this industry is however very different and yet there is no commitment in the policy to researching or understanding it. The business model is wholly dependent on extreme sexual objectification.

7. The Council's own investigation into Spearmint Rhino this year found over 200 breaches of their licence. Spearmint Rhino have always presented themselves as the "harmless fun" side of the sex industry, but the Council now know this to be untrue and the investigation has highlighted that it is of paramount importance that the Council seek the opinions, knowledge, research results and evidence from differing sources, not just the industry itself, because they will always present themselves as they want to be seen rather than the reality of the industry.
8. Hyper-sexualisation of women is already extremely prevalent in our society, but is intensified in the culture of lap-dancing clubs. It is the essence of the industry and at the core of glossy promotional publicity, as evidenced by photographs from typical club websites and promotional twitter posts, which promote misogyny and sexism, and celebrate demeaning attitudes to women.
9. The lap-dance itself (normally taking place in a private booth, again as this year's investigation confirmed, although the club itself attempted to present otherwise) replaces consent with commodification by means of the exchange of money, and acts out the fantasy of the idealized subservient female. This is reinforced in the common areas of the venue by ensuring there is over-staffing of self employed dancers vying for attention. This is to give the idea of an abundance of submissive women available to the customers.
10. It is virtually impossible to imagine visitors to these clubs returning to their businesses in this city, without having reinforced ideas of women as submissive sex objects. As a consequence women are more likely to be the victims of sexual harassment on the street and in the work place. Research by Eaves Housing into the effects of licensing as updated by the Met Police, found 3 years after 4 SEVs opened in 1 local authority, rape increased by 33% and sexual assault by 55%, plus there were increased levels of harassment in the area.
11. A 'no limit' policy is being proposed at a time when there are clear, measurable inequalities (e.g. the latest round of Gender Pay Gap reporting) experienced by women in the UK, and in Sheffield. The national and local pay gaps are both close to 20%. There is an urgent need to address the inequalities that underlie these pay gaps. The Council should be reviewing the way that it can close the pay gap, not promoting unsafe and precarious jobs for women as a way of tackling women's poverty.
12. Studies have shown that objectification of women and sexual harassment are contributors to the gender pay gap, and impediments to women competing with men on a level playing field in the work place. See inter alia submission of 'Close the Gap' to Women and Equalities Commission inquiry into sexual harassment in the work place – March 2018.

13. A study by Plan International last year found that two thirds of young women aged between 14-21 have been sexually harassed in a public place in the UK.
14. There is also a recognized connection between domestic violence and a culture where men are encouraged to see women as sexual, submissive objects. Women's Aid for instance describes domestic violence as "deeply rooted in issues of power, control and inequality."
15. Sheffield City Council cannot ignore its obligations to promote equality nor can it legally avoid its responsibility to address all of these issues. (It is of note that Sheffield City Council HQ has reported a significant gender pay gap of 8.4 % and chosen not to file any report setting out how it intends to address this disparity).
16. The consultation process must engage with the reality of SEVs and a failure to consider the issues around lap-dancing clubs in any depth will be both to the detriment of the general female population and the women who work in these venues.
17. It is a high-risk industry where women are asked to work in degrading and dangerous environments which expose them to prostitution and trafficking. It is the business practice of all lap-dancing clubs to engage the dancers on a self-employed basis rather than as employees. As a result they have no employment protection including statutory sick pay or holiday pay pursuant to the Working Time Directive.
18. It is the very reason, due to the high risk nature of the industry, that the Government decided to allow local authorities more discretion under the regulations as to whether they wanted SEVs in their areas, and yet the Council has chosen their own blindness to those realities.
19. While no touching of the dancers is allowed, as we have seen in this year's country wide investigation, the reality is that touching happens in every club across the UK, because that is the basis of the business model and how the industry works. This had already been made clear by many dancers in the industry who have raised concerns about the pressure to offer more than merely a dance, including intimate sexual contact, in order to attract more business and generate income. Whilst the clubs tend to blame the dancers for breaching their rules, as Spearmint Rhino in Sheffield did this year, the clubs themselves and the Council by means of licensing the club, are responsible for creating a culture and the working environment, where dancers may be either willing, or feel pressurised, into engaging in strictly forbidden sex acts.
20. As we have described above the business model of the clubs requires them to give the impression of plentiful and available women to arouse interest. This fuels alcoholic drink sales from which the clubs make the majority of their revenues. As a result there is considerable competition

between the self employed dancers to out-do one another and this may lead directly to risky and illegal behavior.

21. The thin line between lap-dancing and sex work was highlighted by this year's nationwide investigations carried out by two ex police officers as highlighted by the campaign group 'Not Buying It'. This led to a Council investigation of Spearmint Rhino in Sheffield which exposed over 200 breaches of their license. The details of the enquiry in so far as it relates to Sheffield's only lap dancing club clearly shocked councillors when passages from the investigation were read to the Chamber in April this year and demonstrates in the clearest possible terms that firstly the Councillors had no idea of the realities of the lap dancing industry and secondly that they can no longer ignore the reality of these organisations.

22. Currently the council proposes a no limit policy on SEVs purely on the grounds that it is a necessary ingredient of a night time economy. Indeed the policy begins highlighting the absurdity of the Council's approach with a statement which has no economic basis or research to support it. In fact it should be noted that when another lap dancing club applied to open in the same area that there was huge local opposition from businesses, educational establishments, the creative industries and local residents, to the extent that the applicant withdrew their application at the hearing. No assessment of the possible financial contribution to the economy has been advanced nor how other businesses in Sheffield would benefit.

23. We feel it necessary to highlight, as we have on many previous occasions, that the law allows the Council to make the decision to have no SEVs at all in our city. It is not compulsory for the Council to host an industry which contributes this much harm to the population and it is not a "necessary ingredient of a night time economy."

24. The business model of these clubs tends to suggest that a minimal contribution to the local economy is made.

25. If Sheffield is to facilitate this part of the sex industry we have repeatedly called for the dancers in these venues to be provided with full contracts of employment. This would make their relationship with the club transparent and their tax affairs can be openly regularized with HMRC under the PAYE system. It would also avoid discrimination between the female dancers and those employed by the club such as managers and other staff who are on the pay roll. It would also ensure that lap dancing clubs make a proper contribution not merely to National Insurance but also VAT.

26. A key indicator of the economic health of any region is the contribution made by local businesses to VAT revenue. If dancers were brought onto the payroll, lap dancing venues would be liable for what could be substantial VAT payments chargeable on the 'services' supplied by them to the customers. It would also result in greater tax oversight.

27. Accounts filed with Companies House suggest that Spearmint Rhino, Sheffield's only lap-dancing club, pays minimal taxes compared with its overall turnover. The last accounts filed for Spearmint Rhino Venture (UK) Ltd as of the 31<sup>st</sup> December 2017 indicate that the company paid £19,781 from a turnover of £5,246,693.

28. Sheffield City Council could have ensured that a proper tax contribution is made by making it a condition of licence that contracts of employment are provided to all employees working in their club. However it failed to engage with any of the issues raised in the previous consultation or individual license hearings. The Council's suggested policy would foster a 'grey' employment market.

29. Research has shown that women in the lap dancing industry are attracted to the business because of the ability to avoid paying income tax. The clubs are not under any obligation to record the fees generated by the dancers and there is no possibility for the tax authorities to investigate whether full tax is being paid on earnings.

30. This year's investigation highlighted that although the club states that dances are paid for with chips bought from the club and that no money is exchanged between dancer and customer, that again the reality is that cash is paid directly to the dancers by customers, it is unclear whether a record of this is taken.

31. The very purpose of the current SEV licensing legislation was to give City Councils greater control and discretion over this problematic industry, with the option of deciding not to host any SEVs. Currently the Council is clearly reluctant to adopt anything more than a light touch approach, even when serious breaches have been found, and this has been manifested in hearings concerning Spearmint Rhino, where there has been a failure to treat complaints seriously. The time for light touch licensing has passed, and the Council must face the reality of the consequences of their decisions to license SEVs, thus facilitating the sex industry in our University campus and city.

32. At last year's SEV application we witnessed Sammy Woodhouse, a victim of the Rotherham child abuse scandal, being treated extremely poorly and disrespectfully when she raised concerns about the industry generally and made specific allegations about the culture of exploitation at Spearmint Rhino Sheffield where she had previously worked. She was given no opportunity to substantiate her claims, despite proffering evidence. Her claims were dismissed as lacking in evidence, whilst the company's flat denials were accepted by the Licensing Committee at face value.

33. There has hitherto been a woeful lack of curiosity or engagement on the part of the licensing committee and this was demonstrated at the meeting held last year when the now quashed policy was passed, where some of the

councillors who attended (6 out of 15) appeared poorly informed about the issues involved. It was impossible to determine whether they had read the original policy document or consultation submissions or had relied on summaries provided by the licensing department. This policy was quashed at Judicial Review.

34. This lack of engagement is also reflected in the failure to consult organisations that would have an interest, such as the PCC or even its own departments, such as Planning. As a result Spearmint Rhino has been allowed to become part of Sheffield Hallam University's campus. There has been no consultation with this University, who are one of the biggest developers in the city.

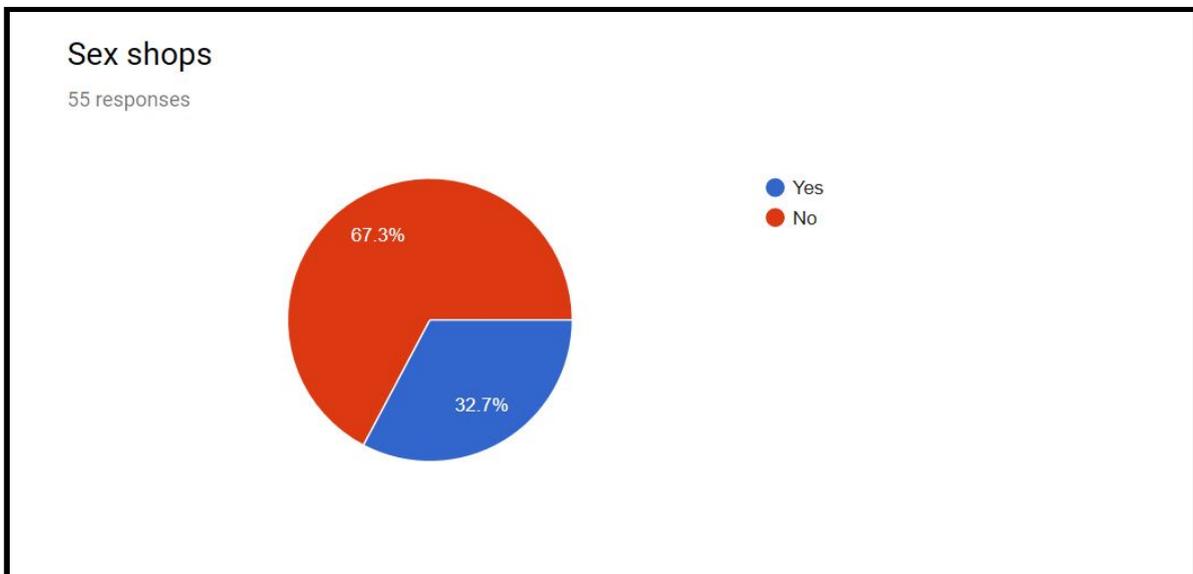
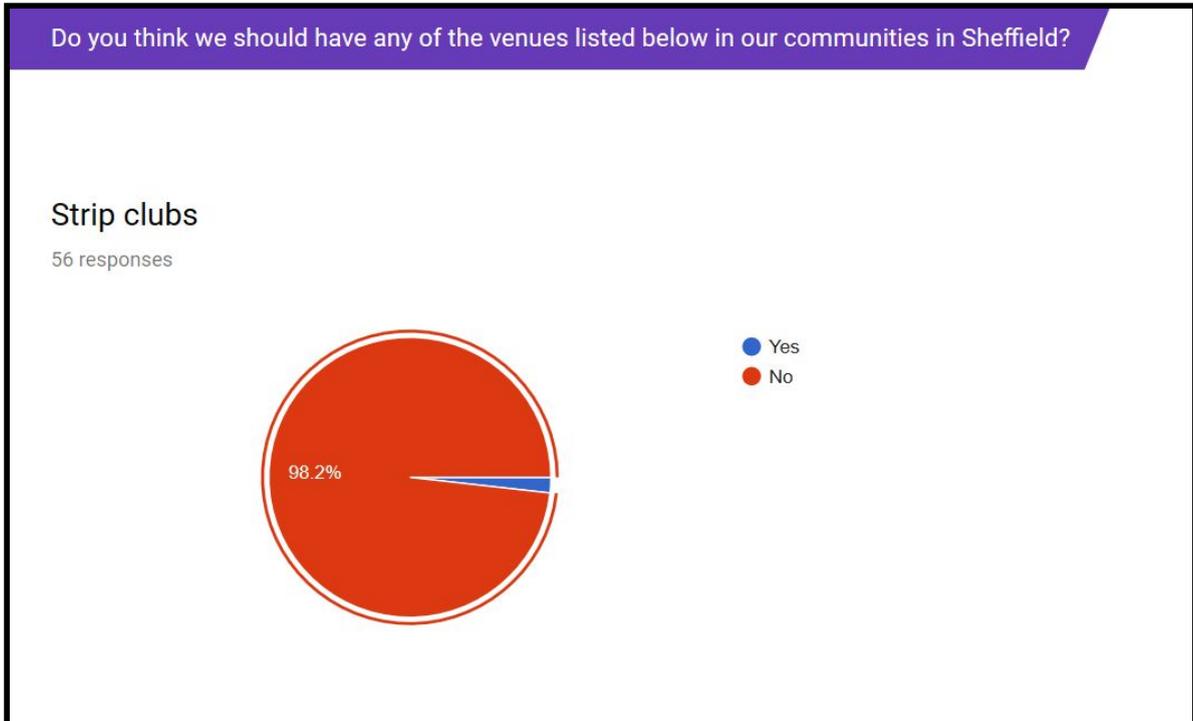
35. The Vice Chancellor and the Estates department have made it clear that they do not want a lap-dancing club near their halls of residence or University buildings. Likewise the museums, galleries and art spaces in the vicinity of the current lap dancing club have objected to the presence of such a club adjacent or close to their own establishment

36. While it is proper for the committee to consider all views, the adoption of a no limit policy would be unconscionable and would amount to a complete derogation of Sheffield City Council's duty to develop a policy with regard to its Public Sector Equality legal duties and would devalue all of the Council's work and policies regarding striving for equality for the city of Sheffield.

Women's Equality Party  
Sheffield Branch  
October 2019

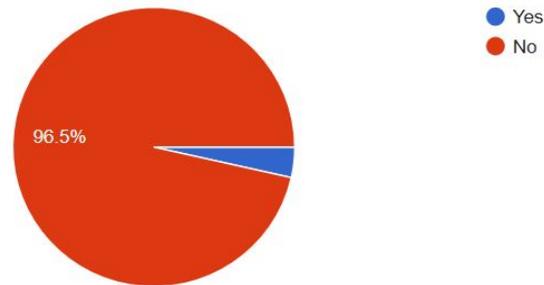
## Summary Results from Women's Equality Party Survey about Sex Establishments

Below are the results from a survey we conducted with our members and supporters to gather their views on sex establishments.



## Sex cinemas

57 responses



If you have selected any of the venues in the previous question, please state why and what positives, if any, you believe they bring to the community.

21 responses

As far as I am aware Sex shops provide equipment for single people and couples to enhance their sexual experiences. If there are any other services provided then this may be exploitative.

I don't see any reason why people can't buy clothes, equipment and toys for sexual pleasure. These can be for both sexes and are not necessarily objectifying.

Shops that sell articles that can be used in loving relationships are fine so long as they are out of the way. Eg. The Pulse & Cocktails locations off Penistone Rd and the one in the industrial area outside Rotherham are fine. Any on Division St for example not so much.

Sex shops allow people to access toys and materials that can enhance their sex life, particularly people into kink or fetish. Not everyone has access to the internet so sex shops allow this to be available to all, even those with limited internet or credit card access.

Respect for strippers, and sex workers is essential for building a better society, and ending toxic masculinity by (for starters) discussing sex openly with children, and explaining to them that porn and erotic dancing are exaggerated depictions, and that they should respect all women and femmes. Banning or closing down these establishments will only drive the industries underground, where the workers of marginalised genders will have fewer rights and less access to safe working conditions.

I think sex shops provide products that both men and women want to buy.

Sex shops can be run without threat to women and children and promote pleasure in sex for all, not the exploitation and objectification of women

No positives except may be of use to some, but no harm either

Sex shops should be for both sexes and all genders not just there to cater for a certain type of male clientele. As such shops like Shh in London are positive and affirming of consensual sexual enjoyment. In theory I would not be opposed but in practice I would fear the type of sex shop that might apply for licensing: this answer would ideally be a 'maybe.'

I think that properly licensed sex shops and sex clubs can meet a need without reinforcing degrading sexual stereotypes or opening people to abuse. It's a territory that is difficult to define, however, and I'm not an expert in knowing what lines can be effectively drawn.

Sec s

Many items available in sex shops can be bought over the internet but not everyone has access to the internet. Out of the 3 listed activities I think that sex shops are probably the least harmful

I think that sex shops allow access to devices and materials that can enhance sexual pleasure

Sex is for everyone to enjoy and I dont see anything wrong in purchasing items for personal use that enhance peoples sex lives

No positives for women or girls any community

I have no problem with shops selling sexual aids but I think the number should be limited and they should not be in locations near schools or other places predominantly used by children.

I think sex shops can be good because people can buy sex toys and things like that which people like to use and which are not inherently discriminatory.

Sex shops offer a way to buy things such as vibrators for people who are not on the net. For Strip clubs, I don't feel it's up to me to tell what gay men may want. I don't like the exploitation of women in strip joints, obviously, but sexual exploitation of poor women - some of whom are underage is a major issue.

Sex shops and cinemas don't necessarily bring benefits to the community (neither does a newsagent or a regular cinema) but they are pretty neutral for consenting adults

It's 2019 and women are still fighting discrimination equality prejudice and oppression. These places keep women down

Sex shops can promote healthy, fun ways to live an enjoyable sex life. Fun sex is different from pornography were a distorted image of sexual acts can be offered.

If you have not selected any of the above, please state why and what negatives, if any, you believe they bring to the community

46 responses

Likely increase in areas where women are vulnerable and/or subject to abuse

Strip clubs are highly exploitative, encourage misogyny and discrimination against women, I believe they contribute to rape as men are turned on, leave premises at the early hours, and take what they couldn't pay for from vulnerable women alone at night

They teach young men that women are objects for their use not equal human beings

Easy access to women as products is not limited to the venues only. As this spills onto the streets, women feel, I feel, threatened.

I believe such venues reinforce gender inequality and chauvinism; devalue women and girls; and, consequently, harm our society more generally, including male-female relationships. It's important to note that many men oppose the existence of these venues - the opposition isn't solely from women.

Venues that focus on the bodies of women reinforce the notion that women are objects that exist for male pleasure. This is a highly pervasive notion that will take a lot of undoing and this is one way

I'm torn about strip clubs. On one hand, I think they contribute the harmful misogynistic narrative that women are there for men's amusement/gaze/pleasure. I think they contribute to rape culture. On the other hand, there are many stories from women who work in strip clubs and the sex industry who defend their right to do this work and do not see what they do as anything other than empowering. On balance, I disagree with them, particularly on a university campus.

They are not properly regulated or monitored to ensure regulations are being followed. Everyone should have the right to a safe working environment and if the relevant regs are not being followed or implemented effectively these establishments should not operate.

I suffer daily sexual harassment from a man who frequents such places and has therefore come to view women as objects. We need to send out a clear message that this is unacceptable and we are not doing by having such venues. Nor are they a form of empowerment for women who might choose other jobs - if they could rightfully earn the same money and the gender pay gap as closed. It's 2019 not 1919. Time for change. You've destroyed us with these venues - especially in the cultural quarter and this city long enough. We feel and are unsafe.

Strip clubs perpetuate idea of women's naked bodies being a commodity to be sold. Anyone performing, watching or profiting is demeaned. If the council profits from business rates from such premises it too is demeaned. They are party to the 'sex trade'. Are there really 'sex cinemas' in the digital age?? If there are then the issue is about pornography and the rights/wrongs of that. However, the council should not be endorsing or profiting from this either.

All are degrading to women

They encourage and make commonplace the objectification of women; make surrounding areas less safe and accessible for women; encourage discrimination against and harassment and victimisation of women.

I believe that although some of these establishments have existed for decades, that there is enough provision online for these services that would leave the way open for small businesses to exist when retail units become empty, thereby additionally helping to boost the local economy.

My belief is that having a provision for strip clubs, sex shops and sex cinemas within Sheffield a city "where everyone matters" can potentially help to promote an environment where negative stereotypical attitudes towards women and men can flourish, whereas an environment free of these facilities would help to pave the way for the licensing of SME'S in a modern creative environment which would be more beneficial both to the local area, and the wider city economy in the long term; eventually having a broader positive impact on all sectors rather than a niche sector catering for a particular "recreational" demographic.

Until sex work is \*properly\* legislated so that sex workers have the protection that they need and we can put an end to trafficking and exploitation, there should be absolutely no reason to have any of the more "legitimate" side of sex work in our city.

The presence of the above mentioned establishments in Sheffield, particularly in times of austerity, are a symbol of the sexual inequalities in society. They compromise the safety of women & children in the area. On granting a licence, the council is legitimising the exploitation of sex workers & women in general.

The sex industry is exploitative of women and contributes to the inequality in society between the sexes. Strip clubs operate by celebrating the idea that women's value is in their sexual availability to men. Pornography is selling dangerous ideas about sex which is contributing to the murders of women during sex acts and propping up men's excuses that it was just 'sex gone wrong'

Any venue that places women and women's bodies for objectification as a form of entertainment undermines attempts to achieve equality. This goes against equalities commitments. I have walked past sex clubs and cinemas in other cities and felt real fear about the men standing outside, or exiting. I do not see why, as women, we are being asked to accept or approve premises and businesses that continue to perpetuate our objectification and make us feel unsafe in a city that should support safety of all.

They normalise the objectification of women. How men behave inside of these venues is not bounded and carry forward outside of the venues.

Strip clubs in particular present women as sexual objects for men and I believe are essentially degrading. I'm aware that some women claim that burlesque dancing can be empowering because they experience it as celebrating their sexuality. The core issue is about genuine consent but there are other concerns such as acceptable boundaries re touch, pay, etc.

Sex films can be problematic too, normalising fetishistic and sometimes abusive behaviours, although there is an argument for properly licensed non-abusive pornography being available for those who wish to access it. Sex films can be accessed nowadays without the need for specific cinemas however. (The policing of the Internet is an altogether more challenging question.)

SEVs objectify women and encourage a belief that women's bodies can be bought for sex. This does not lead to positive community cohesion.

They all encourage the objectification and denigration of women

They do not enhance the locality in any way, and always seem to be biased in favour of men. There is no equality in these venues, just stereotyping women as objects, things to be paid for.

Sorry about exploitation

I think they do not bring any positives into the community. They promote businesses that cause trafficking, segregation of women and gender inequalities.

I don't think there is any place for these seedy establishments in the modern world. Pornography can be highly addictive and damaging to people, due to its objectification of (mainly) women and the unrealistic and sometimes violent sex it portrays, which can be taken as normal behaviour. They portray a view that women are always sexually available and willing, which in my view encourages rape and violence against women.

It is very evident to me that the purpose, activities and attitudes fostered by these venues work in direct opposition to the stated need for local authorities to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity and
- foster good relations between different people [i.e. women and men]

Doesn't foster good relations between men and women.

It is very evident to me that the purpose, activities and attitudes fostered by these venues work in direct opposition to the stated need for local authorities to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity and
- foster good relations between different people [in this case between women and men]

The presence of strip clubs in any setting perpetuates the inequalities between men and women. Their very existence sends the signal to our society that women are there for the sexual satisfaction of men, in an imbalance of power.

That attitude will always extend beyond the clubs, onto our streets, into homes workplaces and places of study of the men who would like to enjoy these clubs.

Also, there is exploitation of vulnerable women through these establishments. While I accept that this is not universal, and some women find this work empowering, I feel that the physical, financial and psychological harm done to is too high a price to pay. I accept that these clubs allow some women to make a living, but we would not expect men to sell themselves sexually to make ends meet

Sex is not a commodity to be sold

These types of venues are purely an exploitation of women and encourage behaviour which adds no value to society, they pose a potential risk and abusive nature not healthy for its users or active members providing the service. There is no value for such institutions and offer nothing positive to society.

I don't feel they belong in a respectful and civilised society. When sex is commodified by selling images or 'services' it degrades those who participate. It's degrading to men and women and helps perpetuate sex stereotypes. The way forward is to try to claim back our sexualities from the pornographers and pimps who want to make more and more money from selling unhealthy images and ideas about sex.

These premises encourage the objectification and abuse of women and create a culture where women are viewed as objects for male consumption. It supports industries that make profits from abusing, degrading and humiliating women and girls.

These places normalise pornography and the objectification and commodification of women's bodies. In a world where violence against women and girls is at epidemic levels, we need to be doing more to promote healthy attitudes towards women and not, with council sanction, create places where men think it is normal for women to be available to perform whatever sexual act they wish for money. The attitudes in men this engenders places all girls and women in danger, not only those who may - or may not - choose to work in or for such venues. Licensing them only helps to create a market to the detriment of all females in Sheffield. Let it not be forgotten, too, that many women do not choose to work in this exploitative and dangerous industry. Many do so as a result of poverty, addiction, domestic violence, trafficking and slavery. As a left wing council, Sheffield should be doing more to address these matters, not encouraging and condoning them through its licensing policy.

Such establishments are also in contravention of the council's own policies on equal opportunities. How can Sheffield present a modern, progressive image to the world whilst continuing to licence so-called SEVs?

Strip clubs are inherently exploitative to women and not appropriate, catering largely to men they do not bring anything positive to the community.

Sex cinemas - I don't know much about these, but as a woman I would be frightened to enter such a place. I feel such a place would largely cater to men showing porn which is degrading to women, therefore it is not positive for the community.

The only way any sex industry tool ie clubs, shops, video etc works is because just by the fact it's a business it exploits the pleasurable idea sex brings to humans and commodifies it. And it's plain to see that the images portrayed within this industry is usually the exploitation on women and girls. You only have to view recent high profile news outlets to see such things.

Dangerous and degrading behaviour seen as acceptable no benefits to any community a danger for girls and woman

The use, abuse and exploitation of women in these establishments reflects society's current retroactive attitudes. Eliminating all aspects of the sex 'trade' is a step to teaching everybody that women, women's bodies and minds are their own and not for sale.

I believe these sex establishments have a negative effect on the local community - they are set-ups which degrade and exploit, in particular, women and treat sex as a commodity rather than focussing on its importance in healthy, safe, caring relationships between consenting adults.

Strip clubs are very discriminatory against women as almost 100% of the performers are female and the consumers male. They normalise objectification of women. As for sex cinemas, they are not bad in themselves but most porn is so misogynistic and this is what I believe would usually end up being shown.

Sex cinemas are surely out of date due the proliferation of porn online..

Strip clubs are exploitative and misogynist

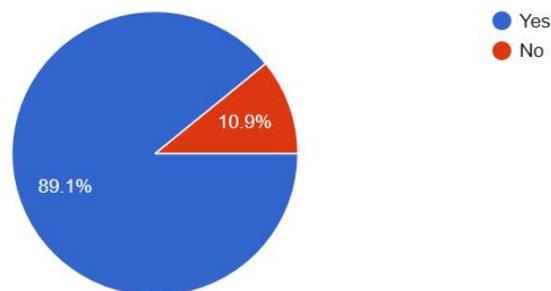
Sex is not a form of entertainment and should not be seen as such.  
The negative effects the so called 'sex entertainment' industry has on a society far out ways any monetary positives.  
It exploits usually females of all ages.  
There are numerous studies showing the catastrophic effects the sex entertainment industry has on a society.

It's 2019 and women are still seen as sex objects. Can we start asking questions about why this outmoded oppressive 'entertainment' is necessary?

These types of businesses are potentially coercive and encourage misogyny and blurring of lines and risky sexual behaviour, that is a bad example and not the kind of entertainment that people should be drawn into, or make money from due to the exploitation of low waged or unemployed people who may be on the breadline, or in desperate need of money. It encourages an atmosphere of hedonism that can lead to health problems feelings of low self-esteem or that anything goes. Sexual behaviour should normally be in a loving committed relationship, and is very personal and private. In addition the very presence of this type of business makes it more likely that criminal activity based upon exploitation will flourish, due to the influence on the tone of the surrounding areas. And there are problems for women in particular due to potential violence, and disrespectful attitudes that SEVs perpetuate. The way that women are treated like pieces of meat to be bought and sold, or trained to do anything to get a small reward is very demeaning and degrading.

The law also allows the Council to have regard to the locality of a venue when looking at an application. It allows the Council to set in their policy whether certain buildings, businesses or facilities make a particular location unsuitable. For example, if they are near places used by children, young people or families including educational establishments or leisure facilities. If the Council decides that it does want to have these venues within Sheffield, do you think that the location of them should be taken into account when considering the granting of a licence?

55 responses



If yes, do you believe the above to be the right approach or not? Please explain your answer.

Should not be in mainstream shopping areas or near education facilities

Yes but there should be more concrete laws "taken into account" doesn't mean that will actually stop it having a licence. There should be literal laws like distance in feet so there are no grey areas

Again this normalises in the minds of young people this disregard for women's equality

I'd prefer the Council not to have any of these kinds of venues in Sheffield. However, if the Council decides it wishes to have such venues, they should be in locations well away from areas used by the majority of people; and special provision should be made for safe transport for workers at the venues. I don't think any establishment that encourages excessive drinking, large groups of drunk people and often very late (if not all night) opening should be near schools, family and health centres.

It is right that none of these types of establishments should be permitted in the types of locations listed above. No centres.

If the council decides they should exist, the location should be restricted but in a location that is still safe for the female workers to get to and from work.

Yes, the city is for everyone not just a select few groups of people. It's not appropriate to have these kinds of establishments in certain areas, definitely not near establishments that families and young people access or near the universities.

Spearmint Rhino should not be in the cultural quarter near the Showroom, students and all our independent tv companies

Such establishments should be as far away from populated/busy areas as possible. The majority of people are not comfortable walking past strip, lap dancing clubs whether they are male or female. Women on their own feel particularly wary if they encounter 'customers' of such establishments. Children should definitely not have to be near them.

These establishments are wrong in principle. If they exist at all they must be contained.

I don't think such venues should be considered a normal entertainment or leisure activity

Right approach would be to refrain from granting licenses, but if there is no alternative they should be sited in locations well out of the city centre and away from the locations noted. Access to them should also be by means which avoid routes and transport frequently used by such groups.

Yes, I believe that the above is the correct approach to take

The fact that we have a strip club in the prime area of the Cultural Industries Quarter, and right opposite the Site Gallery and Showroom cinema, both hugely popular with families, is a disgrace.

If a licence is to be granted it is better to have the criteria mentioned above in place. Better still - don't grant the licence in the first place.

Mo we shouldn't have any. What are they contributing to society? Nothing but the continuation of misogyny.

Why only young people and families? This is not the definition of 'woman' and we ALL have a right to live our lives free from the blight of such businesses. Also, looking at Leeds and its attempts to regulate the sex industry, any premise you license will include women who are trafficked, have difficult lives, are vulnerable etc. Putting the so-called business 'out of sight' doesn't change that. The council would be saying they care about girls until they are adults and then we couldn't care less. Don't license these businesses, we don't want them and you won't have to ask this question.

The presence of these venues are visible to the public and their very locality has an impact in the normalisation of these businesses

I think any officially licensed sex venues should be in recognised red light districts, away from children etc, as mentioned above.

If the Council decides to license SEV s it should ensure they are in places with minimal impact on children and the general public

## If no, please explain your thoughts/beliefs on this

As above

Some children are female, and some family's have females in them. Even if the venues are away from the common areas, the females are still the targets of misogyny. A child of 11 was whistled at earlier this week!

The Spearmint Rhino in Sheffield is placed in a family friendly area, next to the Student Union, Site Gallery, Showroom Cinema, etc. I spend lots of time visiting the gallery and cinema, and barely even notice the strip club. I've walked down there alone late at night (a cisgender woman) and felt no different to walking in any other area (although I might not feel so safe on west Street after dark).

As said. Right approach would be to ban such venues altogether.

I don't think they should be considered so a licence should not be given

I believe that the council should not be considering giving a license for any venue that sells and promotes sexual abuse/degradation/objectification of women and girls. Therefore the question of where is no longer relevant.

It's unacceptable that councils still do not think this does not degrades women

No such establishments anywhere is the best approach.

Misogyny is misogyny wherever it is located. If we take account of location, we risk sending it to the less desirable parts of town, where fewer middle-class activists venture

If the council believes that these establishments are not harmful and that sex should be sold, then they should be allowed to open anywhere.

## Any other comments about Council's Sexual Entertainment Venues Policy

I know they're more interested in money than morals, ethics and integrity

I believe the female workers at Spearmint Rhino (and similar venues) should be assisted to find employment which better values their (present and longer-term) capabilities, qualities and aspirations. I support the rights of women and people of marginalised genders to bodily autonomy and safe spaces to work.

Sheffield should be willing to lead by example and stop the exploitation and objectification of women and girls

I don't see how the Council can uphold its Public Sector Equality Duty and continue to license places where men buy women.

How can SEVs be seen to promote equality between men and women

Cannot see how any of these take 'equality' into consideration.

The Council has an opportunity here to fully consider its Equality Duty, and do the right thing in setting a NIL cap on the number of SEV's in the city.

I think the council should exert it's legal right to set the number of SEV's in the city to nil. This sends a message to the people of the city and beyond that Sheffield is a city that cares about equality.

I feel the Council need to take into account it's own equalities policies. How can licensing establishments like Spearmint Rhino not be a contradiction of the councils Equalities policies? The young women working there have no rights, no employment contracts and have to perform sexual act that are demeaning and degrading to earn any money at all.

I am shocked that in 2019 Sheffield council has a policy for "sexual entertainment". This term is sanitizing a brutal and dehumanizing commercial enterprise which makes money from people's vulnerability ability. This "entertainment" contributes to violence against women and needs to be named for it is.

Sheffield City Council has an opportunity to support its female residents population and protect all young minds in Sheffield. These industries are purely about money. And most of the money made is by the owners of these establishments, they will say that it's employees will also benefit from working there but would YOU or your daughter look up to working in places like this or would YOU wish to be part of creating a Sheffield that values its WOMEN and MEN. There is no place in society anymore for these mind numbing forms of entertainment and science states males violence towards women and children is scaled up when unfiltered access to any form of sexual entertainment is allowed. There are many many studies from all around the world that back my opinion. Get in touch if you would like to read them.

Yes you should be more concerned about the way this effects men's behaviour and the safety of woman when granting licences in locations that are not acceptable

Sexual entertainment is there for men's entertainment, to the detriment of all women.

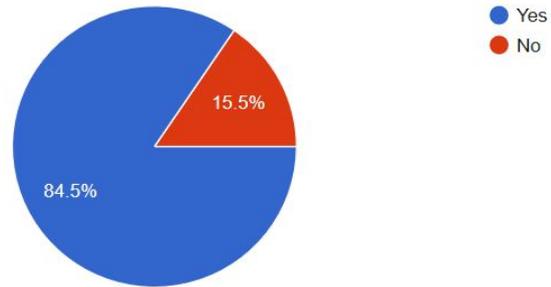
In theory, I have no moral objection to people having sex in whatever configurations, in front of a (consenting) audience, or even being paid for performances. But in practice, the sex entertainment industry exploits women and normalises the idea that women's bodies are consumer goods. The relationship of consumer to performer is unequal and discriminatory. Porn is often horrendously violent and promotes the idea that sex is for men's pleasure only. Given this context, there is no place for this in Sheffield

We don't need SEVs

In my opinion the type of entertainment that people have access to is something that can be regulated at local government level, but sometimes the tone of a neighbourhood is drawn very quickly downhill if one such SEV is allowed, as they could give the tacit implied agreement of the council that that is the type of entertainment that is all that is available, or that is the most desired due to its kudos, that some vulnerable people could think is the most exclusive. The reality is often completely different as these places are based upon an assumption of misogyny and violence towards women, that can give people unrealistic ideas about sex. It is not a good example to set, and with its culture of theatre and pop music, Sheffield has many better opportunities for entertainment.

## Do you live in Sheffield

58 responses



## If you answered no, where do you live?

8 responses

Buxton

Hope Valley (ex of Sheffield).

Rotherham

Cornwall (visit Sheffield regularly and have family there)

Barnsley

Stowmarket Suffolk

Harthill, Sheffield postcode

Bradford



White Ribbon House, 1 New Road, Mytholmroyd, West Yorkshire HX7 5DZ

31 October 2019

Dear Sir/Madam

**RE: Sheffield City Council Sex Establishment Policy Consultation**

White Ribbon UK works to end male violence against women with a specific focus on engagement with men and boys. Fifty four local authorities have achieved White Ribbon Accreditation demonstrating that they meet the core criteria of strategic leadership, engaging men and boys, raising awareness and changing culture.

For any local authority to become accredited there must be a declaration that they are working towards a zero tolerance of Sexual Entertainment Venues. This is due to the well-documented direct risks to women that the venues themselves pose. We also want to strongly state that the accessibility of such venues can promote extremely harmful male cultures within communities, in terms of the objectification and sexualisation of women that can lead to gender based harm and violence.

We are therefore making the case that Sheffield City Council should commit to working towards an zero tolerance approach to sexual entertainment venues. It is important to note that failure to take this stance will prevent the council from being able to achieve White Ribbon Accreditation.

Yours faithfully

A handwritten signature in black ink that reads 'Anthea Sully'. The signature is written in a cursive, flowing style.

Anthea Sully

Chief Executive

White Ribbon UK

From: [REDACTED]  
To: [licensing@sheffield.gov.uk](#)  
Subject: Sexual "entertainment" venues policy  
Date: 31 October 2019 14:11:56

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Dear Licensing

Introduce a policy for ZERO Sexual 'Entertainment' Venues in Sheffield

1. There is NO LOCATION that is appropriate

2. Breach of Safeguarding & Licensing, Equality and Criminal Law

Swingers Clubs: There have now been 2 reported rapes, including 1 rape conviction, at your one currently licensed 'Swingers' Club, complete with a 'viewing gallery'.

Strip Clubs: The Council's own report found over 200 breaches of extreme sexual contact and suggested unfit management at your one strip club – of the highly reputable, stringently regulated Spearmint Rhino chain.

These breaches were happening despite CCTV, council checks, security guards, 'house mums', a wealth of codes and policies and years of sworn statements from countless club staff that it was highly regulated and safe. Staff are still testifying to this.

The entire strip industry operates by providing sexual contact and there is nothing any Council can do to mitigate this.

More CCTV is meaningless – Spearmint Rhino Camden has 63 cameras and yet 'dancing' there also involves widespread sexual contact and women trying to prostitute themselves.

Clubs' employing in-house inspectors is meaningless, as now being practised at Spearmint Rhino Sheffield. The head of the strip chain even knows when 'independent' inspections take place.

Strip clubs are also inherently linked to wider crime – drugs & dealing, credit card fraud, tax evasion and, most concerningly, are simply a feeder for local brothels. It has been testified that pimps operate outside Spearmint Rhino Sheffield.

4. Ensure TRAINING and regular refreshers for Councillors and Council staff

This is urgently needed on safeguarding, the harm of the strip industry, the futility of regulatory measures and on SEV and Equality law. This must be carried out by those harmed by the industry or their advocates. Not only do they present the only reliable source of information but training provided to other councils by advocates of the strip industry has done nothing whatsoever to alleviate its harm.

5. Take strident action on WHISTLE BLOWING

There must be an easy means for women from sexual 'entertainment' venues to whistle blow and strident action must be taken when they do.

6. Provide Quality EXIT SUPPORT for all lap dancers for any strip club that is shut.

7. Take strident action against Sheffield's numerous BROTHELS

These are illegal. Shut them down, prosecute those running them, ensure assets are seized and support every single woman out.



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c.husbands@shu.ac.uk  
www.shu.ac.uk

30 October 2019

Vice-Chancellor  
**Professor Sir Chris Husbands**

Dear Sir/Madam

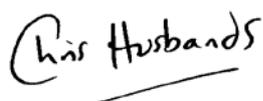
In response to the draft policy for the licencing of sexual entertainment venues, sex shops and sex cinemas across Sheffield, Sheffield Hallam University would like to make the following observations.

1. With respect to location **Discretionary Ground d)** our experience in recent renewal applications is that where the Licensing Authority has not previously fully taken into account the character of the relevant locality it is impossible for objections to renewals to be made. Grounds for objections to renewals therefore need to be clearly spelt out in this policy document which is currently not the case. This should permit previous outcomes to be challenged, particularly where known breaches of a licence have been proven. The fact that a sexual entertainment premises exists in areas that the proposed policy describes as inappropriate to such an activity is at best counter to the Licensing Authority's draft policy and at worst continues to cause serious concern with local businesses, cultural interest and faith premises and educational establishments.
2. The operational hours of sex establishments is listed as a consideration in an application but there is no mechanism for the Licensing Authority to check the operational hours of other businesses, cultural and faith facilities and educational establishments in the vicinity. There should be a requirement that this is clearly established as part of any application and renewal process by the Licencing Officer. This will avoid misinformation being presented to the Licensing Sub-Committee by the applicant which objectors have no way of challenging in a hearing of the Licensing Sub-Committee.
3. There is a disconnect within the proposed objection to applications in that whilst a timescale is established in which objections have to be made there is no timescale in which the applicant for a new or renewal licence has to make their responses to the objections public. The policy makes no provision for this information to be shared with objectors in a timely way prior to the Licencing Sub-Committee hearing and therefore prejudices objector's ability to challenge the applicant's submission without the need for an adjournment. Applicants response to objections should be made available at least 14 working days prior to a hearing.

4. Where renewals applications are being made the policy should indicate how infringements of the licence which have taken place in the previous licencing period are to be considered as part of the assessment by the Licencing Sub-Committee. There should be clearly spelt out criteria for the Licencing Sub-Committee to consider previous infringements in terms of volume and frequency and over what period of time. At best any infringements to a licence should require a higher level of scrutiny by the Licencing Sub-Committee.
5. Known Public Health concerns should carry a greater weighting to the panel's assessment of an application or renewal. In particular as more research becomes available on the impact such establishments have on the treatment of women the panel must demonstrate that they have taken into account the findings of such research as advised by their own Public Health team or that of Government or published academic articles.
6. Where submissions are made for or against a new application or renewal the Licencing Officer should ensure where these are been made on behalf of an organisation or as a representative of a body of interested people that the author has the authority and approval to submit such support or objection to the application. This will avoid incorrect assumptions being made in the future as to the weight given to particular letters of support or objection. For example, where a student union officer has written a letter of support for an application it should not be assumed that this is a view shared by the whole student body. Investigation by the Licencing Officer would have established this not to be the case.

Effective regulation is important. We believe that the measures and improvements set out here will provide the local authority with a much more transparent and robust approach to regulation.

With best wishes,

A handwritten signature in black ink that reads "Chris Husbands". The signature is written in a cursive style and is underlined with a single horizontal line.

Professor Sir Chris Husbands  
Vice-Chancellor  
Sheffield Hallam University

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Sex Establishment Policy Consultation  
**Date:** 31 October 2019 16:33:49

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Dear Licensing

Following last year's judicial review when the 2017 Sex Establishment Policy was quashed, I write in support of Not Buying It Sheffield's paper and suggested changes to the Policy which includes the recommendation that Sheffield adopt a nil cap of SEVs.

I look forward to hearing from you.

Best wishes

From: [REDACTED]  
To: [licensing-service](#)  
Subject: SEV POLICY  
Date: 31 October 2019 19:50:48

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

[REDACTED]

**From:** [REDACTED]  
**Subject:** From a Trans Survivor  
**Date:** 01 November 2019 13:20:47

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What is going on across councils in the UK? Why are you continuing to support sexual exploitation by granting/renewing licenses to strip clubs etc.? I was in the sex trade for years & it's re-traumatising to see society/the state condone our suffering. Enough. We matter more than money. Please follow the Nordic Model if you want to help the vast majority & most vulnerable of us in the long-term.

**From:** [REDACTED]  
**To:** [licensing@sheffield.gov.uk](#)  
**Subject:** Sex licensing  
**Date:** 31 October 2019 11:16:33

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Hi.

As you are requesting views regarding sex licensing I wish to pass on mine.

Regarding venues like strip clubs I think it is very important we do not allow very many and that they are not together. I believe this could cause a 'sexualised area' (i.e Havelock Square, old Jessops Hospital area) that would attract other elements and I for one do not want Sheffield to be know as a 'sex capital'.

Not being a highly commercial city in the way for example Leeds is, we rely upon universities and the massive students population for our economy. So this is the main age group in our city centres and surrounding area. Because of this we already attract a high drug scene, hence increased criminal activity, and we do not want to add into this with the sex industry.

Also I feel in today's 'me too' era we should not be condoning this. Sheffield Council should not be giving young students and girls at the start of their adult life a 'gateway into the sex industry' by working as strippers, etc. Its unthinkable to consider what path this must put so many girls on to. How must this effect their young minds? Future personal and family morals? Longterm this effects their offspring also, and so it goes on and you have a breakdown of family life. Dramatic?? Just look back for the proof of how changes have eroded family life to date. And for the council to condone this I believe is highly innapropriate. Setting good moral examples. Giving them alternatives. Working with universities would help.

If we 'have' to have sex venues they should not be on every ones doorstep. Outer areas of Sheffield. The safety of the girls should be paramount with clubs paying extra for transport and security as part of their costs. And a code of conduct that if broken results in custodial and not a fines or warnings if possible. And it needs to be strict, perhaps with regular visits by a council worker unannounced. A true picture then would be recorded and checked, and not a front promoted by the club, etc.

As for sex shops their window displays, marketing, p.o.s., and entrance views to the shop should be regulated not showing anything that has an 'over 18 only' market.

I am being devils advocate here. I am not a prude or a Mary Whitehouse. I personally think these venues and shops should be available, but having children I really do not want to push these elements into their young lives daily. If they want it I am sure they will seek it out. I have a son at university in Sheffield. These are very real issues; drugs, sex industry, alcohol, clubs, gambling and are real dangers and the violence and crime that come with them, our young adults face far too regularly. In my opinion they are becoming normalised. Not good for our young generation or the City of Sheffield.

From the city of Sheffields view point it is often on the councils head what is allowed onto our streets to some extent. And the crime wave that can follow that decision. We are seeing first hand the terrible effects of drugs on our streets, with turf wars and guns now. We certainly need to think long and hard about adding the sex industry into this volatile mix. We do not want trafficking or procuring the girls already in the scene into the sex industry. As we have a massive young, student industry here, it would be very easy

pickings for any would be gangster to start up their industry, if it is allowed to flourish. If we are firm and realistic we make it harder for them. Fast track and less bureaucracy. If in doubt, dont allow it. Sex industry added to the drugs industry here in Sheffield would be catastrophic for the city.

I do not understand what I am sure is the complicated task of Sheffield Council. I love Sheffield. It is a great city of diversity of people, food and culture. I am proud to be a 'Sheffield lass' It looks better and better each year. (Although roads have been made worse... sorry, but it's true) But these issues you have to decide on can often not be reversed. So real care and consideration should be taken and consequences will be apparent in the near future if wrong. Maybe going into universities for views and speaking to young people within the sex industry, a committee of those it effects?

I would love to make a difference and understand this sex industry issue more, but as I do not I/we rely on our council to police these issues for us. And make good, moral, forward thinking decisions. I have faith in you to try to do that. Thank you.



**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** FW: Response to the Sex Establishment consultation  
**Date:** 06 November 2019 12:49:28  
**Attachments:** [SCC SE Policy for consultation 2019 NBIS comments.docx](#)  
[NBIS Sex Establishment policy consultation response 2019.docx](#)

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Dear Licensing

Please find attached:

- 1) A copy of the quashed sex establishment policy with comments made by tracked changes and foot notes with our suggested changes and recommendations;
- 2) A supporting paper outlining all the available research and why we are calling for a nil cap.

You are most likely aware that at last year's judicial review, the court heard:

'A tabulated overview of all consultation responses was also provided to the Committee as part of the Report. It is noted that none of the evidential content of the Zero Option responses (either to the first or second stage of the consultation process) was summarised in the appended table, and therefore none of the contrary academic evidence to that contained in the EIA's "Supporting Information" section was before the Councillors when they took the Decision.'

Could you please therefore ensure that the full committee receives copies of both documents prior to its meeting so that the above situation is avoided this time?

I would be grateful if you could acknowledge receipt of this email.

# **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.<sup>1</sup>

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<sup>2</sup>. 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.](#)

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

<sup>1</sup> Please see [Magda Boo's paper on impacts on students and student vulnerability presented to the Spearmint Rhino licensing sub-committee in September 2019](#)

<sup>2</sup> [This sounds defensive and presumes licences will be granted](#)

- Safeguarding vulnerable persons in the locality of sex establishments.

## 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.

### **“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.

### **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](#) good relations [\(including tackling prejudice and promote understanding\)](#)<sup>3</sup>

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.

<sup>3</sup> [“Foster” replaces “promote” and addition of including etc for the exact wording of the PSED](#)

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 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:

- 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 (SEVs 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<sup>4</sup>

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:

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<sup>4</sup> [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. Given the incomplete redactions of in the 2019 objections, this requirement puts objectors at risk and will act as a deterrent.](#)

## **MANDATORY GROUNDS FOR REFUSAL**

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

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

## DISCRETIONARY GROUNDS FOR REFUSAL

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

- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reasons;
- (b) if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he/she made the application himself/herself;
- (c) the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for the locality;
- (d) the grant or renewal of the licence would be inappropriate, having regard:
  - (i) to the character of the relevant locality; or
  - (ii) to the use to which any premises in the vicinity are put; or
  - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

## Appeals

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

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

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

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

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

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

# Part 7 - POLICY

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

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

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

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

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

Where the relevant individuals have convictions for:

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

it is unlikely that a licence will be granted.

Further,

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

the application will likely be refused.

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

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

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

## **Discretionary Ground c) NUMBER OF SEX ESTABLISHMENTS**

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

This Policy does not specify any limit on sex establishments.<sup>5</sup>

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.

### **1. 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:<sup>6</sup>

- (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;

<sup>5</sup> [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](#)

<sup>6</sup> [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](#)

- (f) predominately<sup>7</sup> 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](#).<sup>8</sup>

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.<sup>9</sup>

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.<sup>10</sup>

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

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

### iii) Suitability of the Premises

The Council expects:

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

## CONDITIONS

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

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

<sup>7</sup> [Remove 'predominantly'](#)

<sup>8</sup> [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?](#)

<sup>9</sup> [This has not happened in practice where in the Spearmint Rhino case, the QC has relied heavily on the Cultural Hub definition](#)

<sup>10</sup> [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.](#)

The standard conditions that may be attached on an individual basis to a sex establishment licence are available from the Licensing Service. <sup>11</sup>

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

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

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

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

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

## Part 8 – SAFEGUARDING AND PUBLIC HEALTH

### Safeguarding

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

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

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

### Public Health

Holders of sex establishment licences must display and make available, without charge, literature on matters relating to:

- sexual health,
- the prevention of sexually transmitted diseases and HIV,
- mental health;
- substance misuse; and
- information about local health services as may be supplied to them by relevant local bodies.

<sup>11</sup> [Recommend having the conditions stipulated as an appendix as the minimal standard – see Southend-on-Sea, Manchester etc, particularly in light of recent breaches at Spearmint Rhino](#)

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.

## Part 9 - ENFORCEMENT

Licensing Service Principles of Enforcement:

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

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

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

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

### Better Regulation Delivery Office: Regulators' Code 2014

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

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

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

### Complaints

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

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

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

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

### **Data Sharing**

Subject to the provisions of the Data Protection Act 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.

## 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:

- 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.

# Sheffield

# Not Buying It

**Why strip clubs are incompatible with equality  
between the sexes**

**'To be treated with dignity is one of the foundations of human rights. To what extent can women claim respect in societies where there are extensive and increasingly legitimised, sex industries? Treating a human being as a 'thing' a commodity, means that they are denuded of humanity such that abuse becomes acceptable.'**

**Prof Liz. Kelly, Equality and Diversity Forum Seminar, London 2006**

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## Introduction

1. Many who support the strip industry or believe it to be harmless argue that those of us who oppose it should simply not visit strip clubs. This is a wilful denial of the wider impacts of this industry as this paper evidences.
2. This paper builds on the previous work of Zero Option and draws together all extant literature and research into the to evidence that:
  - # Sexual Entertainment Venues (SEVs) are a form of violence against women – all women. They serve to objectify women and condone the buying of women and their licensed operation within a community effectively endorses this. Evidence-based research has exposed the links between alcohol and violence against women and that violence is mediated by the degree to which the perpetrator sexually objectifies women.
  - # In forming any SEV Policy related decisions, including the granting of licences, a local authority is legally obliged to pay regard to its obligations under the Public Sector Equality Duty (PSED). SEVs do not foster good relations between the sexes and perpetuate unequal power relations between the sexes and as such perpetuate gender inequality. Thus SEVs are incompatible with the PSED.
  - # If any local authority intends to reduce violence and discrimination against women, then it MUST set a nil cap to the number of SEVs it will permit in the city.
3. A 2016 report published by the Fawcett Society states:

‘There is a strong bedrock of support for equality between men and women – in 2016 it’s time to speed up the pace of change and ensure we aren’t waiting another 150 years to achieve it.’(p. 2)<sup>1</sup>
4. This, combined with growing evidence that many men are eschewing the traditional stag night strip club outing and the growing number of license refusals<sup>2</sup> and nil caps being adopted by local authorities, indicate that strip clubs are increasingly recognised and understood to be sexist and antithetical to gender equality and the PSED.
5. As such, we urge the Council to acknowledge and respond to the growing body of research evidence about the harmful impacts of SEVs and to be part of this change thereby demonstrating that it is working in tandem with other parts of the Council to support the aims of Sheffield’s *Domestic and Sexual Abuse Strategy 2018-2022 Preventing violence, abuse and harassment is everyone’s business*<sup>3</sup> to “work towards eliminating violence against women and girls.” (p.2) What has been alarmingly apparent at successive Spearmint Rhino licence renewal hearings over the years is the prevalence of sexual violence that women have been subjected to as adults and children (from both objectors, supporters, current and former dancers) which we know to be the tip of the iceberg as not all survivors will be comfortable with disclosing publicly.

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<sup>1</sup> <http://www.fawcettsociety.org.uk/wp-content/uploads/2016/01/Sex-equality-state-of-the-nation-230116.pdf>

<sup>2</sup> <https://sevlicensing.wordpress.com/about/> see also Eden Lounge Exeter

<http://www.exeterexpressandecho.co.uk/exeter-strip-club-eden-lounge-loses-licence/story-27522405-detail/story.html>

<sup>3</sup> Sheffield Domestic and Sexual Abuse Strategy 2018-2022 Preventing violence, abuse and harassment is everyone’s business available from: <http://sheffielddact.org.uk/domestic-abuse/wp-content/uploads/sites/3/2013/05/Domestic-And-Sexual-Abuse-Strategy-2018-2022-FINAL.pdf>

6. The Sex Establishment Policy must therefore align itself with the *Domestic and Sexual Abuse Strategy 2018-2022 Preventing violence, abuse and harassment is everyone's business* which rightly acknowledges in paragraph 3.3.1:

'The Government's Strategy focuses on Violence Against Women and Girls [5]. It states that inequalities that still exist between men and women are 'both a cause and consequence' [6] of violence against women and girls. The World Health Organisation states that 'often inequalities in gender increase the risk of acts of violence by men against women. For instance, traditional beliefs that men have a right to control women make women and girls vulnerable to physical, emotional and sexual violence by men. They also hinder the ability of those affected to remove themselves from abusive situations or seek support [7]'

7. Indeed, the above statement is corroborated by a recent study entitled 'Domination and Objectification: Men's Motivation for Dominance Over Women Affects Their Tendency to Sexually Objectify Women' (Baraket & Shnabel 2019) which concludes:

'The sexual objectification of women is a multifaceted phenomenon, influenced by various factors. While acknowledging the central role of adaptive forces (Buss & Schmitt, 1993) in shaping objectifying behavior toward women, sexual drives clearly are not the whole story. In line with the feminist observation that "to live in a culture in which women are routinely naked where men aren't is to learn inequality in little ways all day long" (Wolf, 1991, p. 139), in the present research, we demonstrated that the sexual objectification of women is also driven by the motivation for **men's dominance.**' (p.16) (emphasis added)

8. In a large study conducted recently in England with over a thousand young men aged 18-30<sup>4</sup>, over 25% (one in four) endorsed the opinion that "a real man" should have as many sexual partners as he can, and would never say no to sex. Meanwhile, 55% (more than half) said that this is what Society as a whole communicates to them. The young men who identified with these and other expressions of so-called "Man Box" masculinity were more likely to be depressed and to take part in risky behaviours. **54% of these young men reported having perpetrated sexual harassment against a woman or girl in the last month**, compared with 9% of young men or boys who did not identify with the harmful "Man Box" stereotypes of masculinity. Research also shows that power (dominance) and sex are interconnected in the minds of those who are the most likely to sexually harass (Maass, Cadinu & Galdi (2013). SEVs reinforce the connection between power and sex.

## 1 HARM AND THE MEANING OF 'MORAL' OBJECTIONS

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

- # SEV owners/managers
- # Some current performers in SEVs
- # Some sex worker rights activists
- # Some clients of SEVs - We argue 'some' with reference to recent research<sup>5</sup> highlighting male gendered expectations to attend strip clubs but which were not enjoyed by all attendees. We also have heard from men who felt pressurized to go to strip clubs and felt uncomfortable in the environment and did not welcome the attention of performers. In addition to this it was

<sup>4</sup> Heilman, Barker & Harrison (2017)

<sup>5</sup> Briggs, D. & Ellis, A. 2016 Deviant Behavior, pp. 1-12 *The Last Night of Freedom: Consumerism, Deviance and the Stag Party*

reported in December 2016<sup>6</sup> that ‘According to figures released by professional stage [sic, should read ‘stag’] do specialists *The Stag Company*, there has been a 47% drop in lap dancing requests.

# Some members of the public

## 1.2 What is meant by ‘harm’?

1.2.1 The harmful impacts of SEVs expressed by objectors are frequently dismissed as a ‘moral’ issue and therefore not relevant considerations. For example, it was reported in the *Sheffield Telegraph* when Wildcats SEV was refused planning permission that ‘Some critics claimed a sex-orientated venue would put the safety of women at risk, but officers said their recommendation was based on the impact on the area, not on moral grounds’<sup>7</sup>

## 1.3 What constitutes a ‘moral’ objection?

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

1.3.2 In the preface to his book, *Sex Licensing* (2010), the authoritative guide to sex licensing, Phillip Kolvin QC refers to the aim of Parliament in setting the now current legislation on SEV licensing<sup>8</sup> as being based on:

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

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

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

but suggests that:

‘In a modern context, therefore, for ‘morality’ read ‘community values’, a less loaded concept altogether’ (p. x).<sup>9</sup>

1.3.5 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.’

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

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<sup>6</sup> Loaded 28<sup>th</sup> November 2016 *Lap Dancing Bookings Down As Stag Dos Focus On Less Seedy Alternatives*  
<http://loaded.co.uk/lap-dancing-bookings-down-as-stag-dos-focus-on-less-seedy-alternatives/>

<sup>7</sup> <http://www.sheffieldtelegraph.co.uk/news/no-wildcat-action-as-lap-dance-venue-in-sheffield-is-blocked-1-5454560>

<sup>8</sup> Policing and Crime Act 2009 <http://www.legislation.gov.uk/ukpga/2009/26/contents>

<sup>9</sup> Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing

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

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

1.3.7 As the judge in the first of the thus far, two judicial reviews observed when granting permission:

‘There is a tenable basis for the Claimant’s inference that the Defendant has wrongly ignored objections based on the potential impact on gender equality, treating them as moral objections and irrelevant.’<sup>10</sup>

## 2 THE IMPACT OF SEVs ON ALL WOMEN

### 2.1 Gender inequality

2.1.2 A former lap dancer “Elena” told the *Guardian*:

‘The men just see you as an object, not a person, and whether you are equally engaged in their desire is irrelevant.’<sup>11</sup>

2.1.3 Another former lap dancer named Lucy stated:

‘... I truly believe that the reason men pay for lap dances is not because they are titillated visually by the sight of a naked woman, or even because the sexual contact is particularly stimulating. They do it because they get a power rush from the act of paying a woman to take her clothes off. She is vulnerable and he is powerful, and that’s the real allure—that’s the real reason the clubs are getting so popular. **Lap-dancing clubs are places in which you can all pretend that feminism never happened.**’<sup>12</sup> (emphasis added).

2.1.4 Another former dancers states:

‘the idea that the sex industry is sex-positive and liberal [is] an absolute joke . . . [lapdancing clubs are] just **a manifestation of gender inequality.**’<sup>13</sup> (emphasis added).

2.1.5 A journalist who investigated lapdancing clubs concluded:

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

2.1.6 Further examples are provided in Appendix 2.

<sup>10</sup> <https://www.john-gaunt.co.uk/news/sheffield-admits-failure-to-comply-with-equality-duty-over-spearmint-rhino-licence>

<sup>11</sup> The Guardian 19<sup>th</sup> March 2008 *I was seen as an object, not a person*  
<https://www.theguardian.com/world/2008/mar/19/gender.uk>

<sup>12</sup> Cited in Banyard, K. (2016: p. 140) *Pimp State: Sex, Money and the Future of Equality*. Faber and Faber, London

<sup>13</sup> Hayashi Danna (author of the book *Stripped: The Bare Reality of Lapdancing* (2011)) cited Banyard, K. 2016 *Pimp State: Sex, Money and the Future of Equality*. P. 140

## 2.2 Sexual harassment

2.2.1 There is no reporting structure for sexual harassment and 'sexual harassment is not an offence in its own right'<sup>14</sup>, such is the normalisation and minimisation of this form of violence against women. As the 2018 report produced by the Women and Equalities Committee into sexual harassment in public spaces observed:

'This report confronts some deeply uncomfortable truths within British society that we cannot side step if we are to tackle the issues raised by #MeToo and broader sexual harassment in the long term. The truth is we have to question the attitudes some men hold towards women. These attitudes are damaging women's opportunity to be on an equal footing in society. These are not new problems but they are problems we cannot continue to ignore.'<sup>15</sup>

2.2.2 Research conducted by Dr Maggie Wykes at the University of Sheffield<sup>16</sup> found that the emotional after-effects of an [sexual harassment] incident are: uncomfortable 80%; frightened 40%; angry 60%; embarrassed 50%; disgusted 45%. The biggest behavioural responses to the experience were: avoid going out at night; avoid going out alone; try to change appearance. When asked if they had told anyone, 70% had told a friend. When asked if they had reported the harassment to the police, responses were: 70+% thought it was not serious enough; 16% were too embarrassed; 22% didn't think anyone could help. Nottinghamshire Police is now recording such harassment as a misogynistic hate crime.<sup>17</sup>

2.2.3 Sexual harassment is a commonplace experience in women's everyday lives (see for example the Everyday Sexism Project<sup>18</sup>) and women do not expect to be taken seriously if they do report it (indeed, 85% of *rapes* are never reported<sup>19</sup> and a sizeable proportion of women say this is because they fear being treated disrespectfully and/or being disbelieved).

2.2.4 The same disbelief and dismissive attitude is often expressed when women object to the presence and existence of SEVs and voice their fears of sexual violence. Yet women are caught in a double bind of being denigrated for moderating their movements to avoid sexual assaults and victim blamed for putting themselves at risk when attacked.

2.2.5 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.

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<sup>14</sup> Communication from SYP 11<sup>th</sup> January 2017

<sup>15</sup> [https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/701/70104.htm#\\_idTextAnchor005](https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/701/70104.htm#_idTextAnchor005)

<sup>16</sup> Publication pending

<sup>17</sup> BBC News *Nottinghamshire Police records misogyny as a hate crime*. 13<sup>th</sup> July 2016 Available from: <http://www.bbc.co.uk/news/uk-england-nottinghamshire-36775398>

<sup>18</sup> <http://everydaysexism.com/>

<sup>19</sup> See Rape Crisis England and Wales who cite the Crime Survey England and Wales statistics from 2013 <http://rapecrisis.org.uk/statistics.php>

- 2.2.6 A recent research study in the USA (Decker et al. 2017)<sup>20</sup> concluded in a literature review that the SEV environment itself “can enable violence victimization and pose barriers to engagement with the public infrastructure for justice and violence-related care”. Club management is inevitably invested in ensuring that violence experienced by performers is not necessarily reported to outside agencies. It is worth reflecting that given what is known about the high prevalence of client violence towards performers, we should expect responsible management to be supporting performers to make regular reports to police and other agencies about assaults and threats as this is a serious safeguarding concern. An absence of such reports is concerning and in fact, we have heard via informal networks from those who have direct contact with women working at Sheffield’s only strip club, that acts of sexual violence are perpetrated yet not a single FOI to either South Yorkshire Police or the Council has shown a single report made.
- 2.2.7 Indeed, the culture of non-reporting was confirmed by a current stripper at Sheffield’s Spearmint Rhino who spoke at a conference on decriminalising the sex trade, in Sheffield in August 2019. She spoke of how difficult it is to report to the police because of risk of the club’s loss of licence. However, we note that there has been a second reported rape that has resulted in a charge at Sheffield’s other SEV, La Chambre. The first known one resulted in a 5 year conviction<sup>21</sup> and the second charge is pending trial.<sup>22</sup>

### 2.3 The impacts on performers

- 2.3.1 There is a small number of women who earn some money by working as performers in the SEV industry.
- 2.3.2 There are other views in addition to those already cited, that are in the public domain, primarily those gathered by former dancer Jennifer Hayashi Dadds in research for her 2011 book<sup>23</sup> and those gathered in a consultation run by Object<sup>24</sup>. A further example is:

‘It was not a “gentleman’s” club and I failed to understand what was so gentlemanly about an intoxicated man using derogatory language towards me, pestering me for sex and getting off on my naked body.’<sup>25</sup>

- 2.3.3 Performers at the clubs are self-employed women, while others who work in SEVs (e.g. bar and door staff) tend to have employment contracts with associated job security and privileges. Research shows that women who work in SEVs are subject to high levels of abusive behaviour by customers; research in the U.S. (Holsopple 1998)<sup>26</sup> found that 100% of the women working in

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<sup>20</sup> Farley, M., Golding, J.M., Schuckman Matthews, E., Malamuth, N.M. & Jarrett, L. (2015). Comparing sex buyers with men who do not buy sex: New data on prostitution and trafficking. *Journal of Interpersonal Violence* 32(23), 1-25.

<sup>21</sup> Sheffield Star: Man jailed for Sheffield Halloween Party Rape, 3<sup>rd</sup> September 2104 available from: <https://www.bbc.co.uk/news/uk-england-south-yorkshire-29048226>

<sup>22</sup> Sheffield Star: Man charged with rape at swingers club in Sheffield, 27<sup>th</sup> September 2019 available from: <https://www.thestar.co.uk/news/man-charged-rape-swingers-club-sheffield-637597>

<sup>23</sup> Jennifer Hayashi Dadds & Sandrine Leveque *Stripped: The Bare Reality of Lap Dancing* by

<sup>24</sup> Stripping the Illusion: the Lap Dancing Industry Exposed. <https://www.youtube.com/watch?v=Cwg57pLJZUI>

<sup>25</sup> Jennifer Hayashi Dadds & Sandrine Leveque *Stripped: The Bare Reality of Lap Dancing* by (p.13)

<sup>26</sup> Holsopple, K (1998) *Strip Clubs According to Strippers: Exposing Workplace Sexual Violence*, available online at <http://www.uri.edu/artsci/wms/hughes/stripc1.htm>

lap dancing who were surveyed reported that they had experienced physical violence from customers. All the women had been sexually abused and verbally harassed in the club. Sanders and Hardy in 2011<sup>27</sup> highlighted how almost half the SEV workers interviewed in their UK study reported frequent verbal harassment and unwanted touching from customers (in other words, sexual assault).

2.3.4 Breaches to the no contact rule are commonplace. In Sheffield, a total of 219 breaches were found by undercover investigators in 2019 on two visits to the club, yet none of these were picked up by unannounced council officer inspections. The breaches covered a range of sexually explicit language and sexual acts between performers in addition to simulated oral sex of the undercover investigators. This is by no means unusual and these acts were volunteered by the dancers and not requested by the men posing as customers. Details of the breaches can be found on Not Buying It's<sup>28</sup> website **and the full committee is urged to read them**. A further catalogue of breaches across the industry is listed on the same website.<sup>29</sup>

2.3.5 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. One former Sheffield Spearmint Rhino dancer told us that sexual assault from customers and management were frequent and that any complaint resulted with a "what do you expect, you're a stripper?" response. 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'.

2.3.6 There is no reason to assume that all women working in SEVs are exploited, abused or unhappy or will be personally damaged by the experience. However:

- # Research from the USA has suggested that the longer women work in the industry, the more their feelings about it transform from "elation" into "anger, disappointment and disgust" (Barton 2002: 596). In her research with performers, Barton found that despite the fact that "individual women can experience dancing as liberating and rewarding, at least for a while", "Structurally, dancing is exploitative and destructive to women both as individuals and as a group" (p. 600).
- # As already stated, interviews in the UK with 197 performers revealed that 40% said that customers were rude or abusive towards them (Sanders & Hardy 2011). Almost half the women reported frequent verbal harassment and unwanted touching from customers (Sanders & Campbell 2012).
- # Those currently engaged in the sex trade are (unsurprisingly) critical of policy that seeks to end demand but those who have extricated themselves from it favour policy to end demand (Swedish Government, 2010). Before they do exit, current performers rationalise

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<sup>27</sup> Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. Leeds: University of Leeds Available from:

[http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory\\_Dance/FINALSUMMARYjAN2012.pdf](http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory_Dance/FINALSUMMARYjAN2012.pdf)

<sup>28</sup> <https://notbuyingit.org.uk/wp-content/uploads/2019/04/SR-Sheff-Press.pdf>

<sup>29</sup> <https://notbuyingit.org.uk/wp-content/uploads/2019/06/StripSleaze.pdf>

and attempt to neutralise the work by using three techniques: denying that there is harm; condemning those who are against lapdancing by characterising them in negative ways; and making claims about how the work serves a 'higher' purpose for them, for example supporting a family or paying for education (Thompson & Harred 1992). We also know this from having spoken to exited women.

- # Research has shown that managers use a range of "tactics" to manage performers through the economic precarity that is a feature of the work. These tactics, which we have seen employed in arguments in Sheffield licensing hearings, include "normalising uncertainty" reframing it as "flexibility" and using "one big happy family" discourses. Research also shows managers encourage performers to self-blame if they are not earning sufficient funds due to the payment and staffing structures put in place by the management in order to extract profit. Meanwhile managers benefit from the precarious 'self-employed' status of the performers because it means that managers avoid paying taxes on their income and performers are also unable to file claims for discrimination and are ineligible for employment benefits or compensation (Mount 2018). We have also heard from those who worked in the industry how managers use dancers' insecure status to manipulate and bully them as they have no rights.
- # It is possible that women working as lapdancers may be drawn from the more vulnerable in society and this is suggested in research as well as in testimony from exited performers. Forsyth & Deshotels (1997) found that drug and alcohol use by performers was "an integral part of the occupation", both making it possible to do the job and contributing to development of habits. Indeed in the 2018 Spearmint Rhino licence hearing, we heard from a former dancer and two testimonies of former dancers were read out which support this. The former dancer told the panel that alcohol abuse is common amongst dancers. At the 2019 hearing, current dancers present also discussed their vulnerabilities; one talked of being a survivor of sexual abuse and one of having suffered from anorexia. Decker et al. (2017) identified high levels of victimisation in domestic abuse (intimate partner violence) among performers and they also say: "Social and economic disadvantage and histories of substance use and incarceration are... common precursors to dancing." Again these experiences have been shared with panels by former dancers at the 2018 and 2019 hearings.
- # Sherman et al. (2017) found that 43% of performers in their study also reported selling sex (being involved in prostitution), of whom 92% began selling sex after they began to work in SEVs. Among the 50% who reported heroin or cocaine use, over half had initiated this drug use after they began to work in SEVs. Mount (2018) reported that every manager she spoke to in her research mentioned that performers often tried to sell more than they were supposed to, in the form of sexual acts or prostitution. Indeed reviews of Spearmint Rhino (see Appendix 3) suggests that this is the case in Sheffield as elsewhere.
- # A recent study (Johnson et al. 2018) found that objectification of the other sex is associated with **"severe psychological aggression and physical assault perpetration"** in males, but not in females. This demonstrates that males and females react differently to objectification of the other sex.

2.3.7 A summary of former dancers' own words reflecting on their experiences is provided in Appendix 2.

2.3.8 Guildford's nil cap policy makes reference to performers, stating that it: "recognizes 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." 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.

## 2.4 The impacts on relations between the sexes

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 . . ."*

(former dancers)

2.4.1 The above views of former dancers about the customers axiomatically undermine gender equality and do not foster good relations between men and women. Again, views of former Sheffield Spearmint Rhino dancers have been shared with the panels in 2018 and 2019. As previously stated, as former lap dancer Jennifer Hayashi Dadds tells Kat Banyard 'the idea that the sex industry is sex-positive and liberal [is] an absolute joke' and that lap dancing clubs like the one she used to work in are 'just a manifestation of gender inequality.'<sup>30</sup> Dadds also highlights the link between men's dehumanisation of women performers in SEVs which runs counter to any notion of gender equality that any Council, or indeed any official body, claims to promote: 'a sex worker describes punters who came straight from lap dancing clubs as unwilling to acknowledge that women were human or individual . . . There was a very aggressive 'pack mentality' and they would ... make very degrading comments about the way that women looked.'<sup>31</sup>

2.4.2 In their UK study published in 2011 Sanders and Hardy<sup>32</sup> reported that 30% of the women performers interviewed said that as a result of doing the job they had lost respect for men, a finding echoed in the testimonies of former performers and which is of relevance to the Council's duty under equality legislation to have due regard to the need to foster good relations between men and women. Barton (2002, p.592) quotes a performer who had this to say about clients: "I guess they feel like the normal laws of etiquette that govern any other social or business interaction are suspended there. It is okay to call someone a bad name or use foul language. They'll say, "Turn around bitch, I want to see your ass. I'm paying." Just to talk to someone in a way you'd never in a million years think of talking to someone in any other business or social interaction... That's not something you have to contend with systematically in other jobs."

<sup>30</sup> Cited in Banyard, K. (2016: p. 140) *Pimp State: Sex, Money and the Future of Equality*. Faber and Faber, London

<sup>31</sup> Guardian 10<sup>th</sup> November 2011 *The truth about life as a lap-dancer*. Available from:

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

<sup>32</sup> Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. Leeds: University of Leeds

2.4.3 The afore mentioned former lap dancer “Elena” told the Guardian that ‘Lap-dancing reinforced all [her] negative beliefs about herself and about men. "The men just see you as an object, not a person, and whether you are equally engaged in their desire is irrelevant. **Increasingly, you learn to despise the men because of the way they perceive you.** Lap-dancing is about creating a situation whereby the men feel they are doing you a favour - that's the way the game is set up, so all the power is with the customer." She believes that for men who visit lap-dancing clubs, enjoyment derives primarily from handing over the money, not from the dance itself.<sup>33</sup> (emphasis added)

2.4.5 As these posters on a Digital Spy forum thread about strip clubs observe<sup>34</sup>

The screenshot shows a forum thread with two posts. The first post is by user 'Andrew' (ID 309) dated 8 Feb 2012 11:55. The text of the post is: "I have observed the affect they have on my friends who see them as harmless. Their attitude to women has deteriorated over the years, now viewing women as objects to be bought and sold. One friend claimed it is harmless fun, a great way for a girl to pay her way through college. When I said he wouldn't mind then if his sister worked in one he soon changed his tune, says it all really." The post has 41 upvotes and 11 downvotes. The second post is by user 'ladivina69' (ID 149) dated 8 Feb 2012 09:26. The text of the post is: "My daughter is a dancer and its not harmless fun. In order to bear dealing with this degrading and soul destroying work the girls drink too much and endure the worst aspects of male nature. She has become cynical, jaded and doesnt have relationships any more. She thinks that men are all untrustworthy and only after what they can get away with. Its not really a job to be proud of." The post has 73 upvotes and 43 downvotes.

2.4.6 There are also numerous threads on Mumsnet discussing the impact on their relationships when women discover that their partners have been to an SEV.<sup>35</sup>

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

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

<sup>33</sup> The Guardian 19<sup>th</sup> March 2008 *I was seen as an object, not a person*  
<https://www.theguardian.com/world/2008/mar/19/gender.uk>

<sup>34</sup> <http://forums.digitalspy.co.uk/showthread.php?t=1464449>

<sup>35</sup> See for example: <http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club;>  
<http://www.mumsnet.com/Talk/relationships/1245716-DH-went-to-strip-club-last-night-3-dances-Am-I-stupid-naive-to-feel-so-sad-about-it> ; <http://www.mumsnet.com/Talk/relationships/a1775126-Strip-club;>  
<http://www.mumsnet.com/Talk/relationships/a1626235-Husband-had-a-lap-dance> ;  
<http://www.mumsnet.com/Talk/am-i-being-unreasonable/a2123339-Am-i-being-unreasonable-to-not-be-ok-with-my-husband-going-to-a-strip-club> and <http://www.mumsnet.com/Talk/relationships/a1726433-Am-I-over-reacting-Strip-club>

(NB: this is a sample- there are a lot more discussions on this topic)

2.5.1 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'<sup>36</sup>

2.5.2 Kolvin continues with:

'If a woman, whether objectively justified or not, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to discrimination, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought properly to be taken into account by authorities at the decision-making stage, and possibly at the policy-making stage'<sup>37</sup>

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

'... the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'<sup>38</sup>

2.5.3 An Australian article about women and girls' perceptions of safety in urban spaces highlights how they restrict their freedom of movement to avoid zones where there are strip clubs<sup>39</sup>.

2.5.4 This fear of crime [ie sexual violence] is frequently expressed by a significant number of objectors to SEVs and different and new examples of women subjected to harassment from Spearmint Rhino's customers have been provided every year at each hearing and **we urge Licensing to collate these and provide them in full to the Licensing Committee.** In very brief summary, previous objectors have submitted that one woman had to give up her studio at Yorkshire Artspace due to harassment from "testosterone fuelled men"; women have been deterred from accessing amenities within the vicinity of Spearmint Rhino; women have been harassed outside the club; pimps have been observed hanging around outside the club; a woman was told by two men leaving the club that she was "good enough to rape" and so on.

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

<sup>36</sup> Op cit. p.87

<sup>37</sup> Ibid

<sup>38</sup> Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in *Criminal Justice Matters*, 88:1, 10-12.

<sup>39</sup> Safe in the City? Girls tell it like it is. March 26, 2017 <https://theconversation.com/safe-in-the-city-girls-tell-it-like-it-is-72975>.

### 3.1 Violence against women and girls

3.1.1 HM Government reports that there were an estimated 1.35 million female victims of domestic abuse in 2014 and nearly 450,000 victims of sexual violence<sup>40</sup>. It states

'Violence against women and girls is both a cause and consequence of gender inequality. We will continue to challenge the deep-rooted social norms, attitudes and behaviours that discriminate against and limit women and girls across all communities'<sup>41</sup>

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

'While crime in the night time economy has been falling steadily during the past years, we know that 36% of victims of serious sexual assault reported that the offender was under the influence of alcohol [Focus on Violent Crime and Sexual Offences: 2013/14]. We will continue to encourage local areas to prevent violence against women and girls in the night time economy...'<sup>42</sup>

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

'alcohol use intensifies the objectification of women in a manner that increases sexual violence risk'<sup>43</sup>

3.1.4 On 5<sup>th</sup> March 2014 *The Independent* published findings of the Violence Against Women report by the *European Agency of Fundamental Rights* (FRA) highlighting how half of women in Britain admit they have been physically or sexually assaulted, higher than the 1 in 3 women from across Europe who will be a victim of violence in their lifetime.<sup>44</sup>

3.1.5 2008 research shows how domestic violence perpetrators who access the sex industry (pornography and strip clubs) use more controlling behaviours than those who do not.<sup>45</sup> Coercively controlling behavior is the biggest risk factor for fatal domestic abuse and is now enshrined in legislation: Section 76 of the Serious Crime Act 2015 - Controlling or Coercive Behaviour in an Intimate or Family Relationship.<sup>46</sup> Furthermore, there is a wealth of practice-based evidence from the women's domestic abuse and sexual violence sector of women disclosing how their abusers access pornography, prostitution and strip clubs.

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<sup>40</sup> HM Government, *Ending Violence against Women and Girls Strategy 2016 – 2020* Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/522166/VAWG\\_Strategy\\_FINAL\\_PUBLICATION\\_MASTER\\_vRB.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF)

<sup>41</sup> HM Government, *Ending Violence against Women and Girls Strategy 2016 – 2020* (p. 16) Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/522166/VAWG\\_Strategy\\_FINAL\\_PUBLICATION\\_MASTER\\_vRB.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF)

<sup>42</sup> Ibid

<sup>43</sup> Gervais, S. J., DiLillo, D., & McChargue, D. (2014) *Psychology of Violence Understanding the Link Between Men's Alcohol Use and Sexual Violence Perpetration: The Mediating Role of Sexual Objectification*.

<sup>44</sup> <http://www.independent.co.uk/news/uk/home-news/the-violence-epidemic-half-of-women-in-britain-admit-they-have-been-physically-or-sexually-assaulted-9169143.html>

<sup>45</sup> Simmons, C. A., Lehmann, P. & Collier-Tenison, C (2008) *Violence Against Women 14 Linking Male Use of the Sex Industry to Controlling Behaviors in Violent Relationships: An Exploratory Analysis*

<sup>46</sup> [http://www.cps.gov.uk/legal/a\\_to\\_c/controlling\\_or\\_coercive\\_behaviour/#a01](http://www.cps.gov.uk/legal/a_to_c/controlling_or_coercive_behaviour/#a01)

3.1.6 On average, two women per week are murdered by a former or current partner in the UK.<sup>47</sup> Karen Ingala Smith who created the Femicide Census recording murders of women by men writes:

‘One of the most important things about the Femicide Census is that we look beyond intimate partner violence, to fatal violence from other male family members, from sons, from strangers, and including men who pay for sex. Doing this helps us see the bigger picture; identifying the commonalities across the different contexts of men’s violence against women can help us see its root causes. This is essential if we’re really serious about reducing men’s violence against women and girls. Continuing to improve policing and justice responses is vital, but these alone won’t bring about the reduction in men’s violence against women that we want, if we don’t change the attitudes and inequality that foster it.’<sup>48</sup>

3.1.7 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.’<sup>49</sup>

3.1.8 On January 1<sup>st</sup> 2019, Ingala Smith recorded the 1000<sup>th</sup> woman killed whose name she has recorded since she started Counting Dead Women.<sup>50</sup> In September 2019, it was reported that domestic abuse killings have reached an all-time high.<sup>51</sup>

3.1.9 Further research indicates that films which present women in an “objectified and degrading way have the effect of altering the way men perceive the account of an acquaintance rape, lessening males’ perception of the victim’s suffering.” The study goes on to state that “Although previous research has indicated that violent pornography has this effect, our results suggest that violence or explicit sexual intercourse is not necessary to obtain these effects. Merely presenting images of women who are degraded or objectified can produce these results” (Milburn, Mather and Conrad 2000, pp. 659-660)<sup>52</sup>. These attitudes were less prevalent with regards to “stranger rape” which is the least common form of sexual violence<sup>53</sup>. These attitudes not only impact on women and girls generally but will also be brought into play on juries in rape trials. In December 2018,

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<sup>47</sup> Women’s Aid <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/how-common-is-domestic-abuse/>

<sup>48</sup> Guardian 7<sup>th</sup> December 2016 *Why does a woman stay with a violent man? Sometimes, to save her life* <https://www.theguardian.com/commentisfree/2016/dec/07/femicide-census-violence-against-women>

<sup>49</sup> Ibid

<sup>50</sup> <https://kareningalasmith.com/2019/01/01/1000-dead-women/>

<sup>51</sup> <https://www.independent.co.uk/news/uk/home-news/domestic-violence-abuse-murders-uk-statistics-five-years-cps-refuge-a9103811.html>

<sup>52</sup> Milburn, M. A.; Mather, R.; Conrad, S. D. The effects of viewing R-rated movie scenes that objectify women on perceptions of date rape; *Sex Roles*; Nov 2000; 43, 9/10; Social Science Premium Collection

<sup>53</sup> Rape Crisis England and Wales: Myths vs Realities available from: <https://rapecrisis.org.uk/get-informed/about-sexual-violence/myths-vs-realities/>

the End Violence Against Women Coalition (EVAW) published worrying results about the prevalence of victim blaming and rape myths in a survey it conducted of 4000 people across Britain.<sup>54</sup> Also see Dr Dominic Wilmott's research<sup>55</sup> into jury bias for further reading.

- 3.1.10 Whether or not they choose to be in sexually objectifying environments, women's exposure to sexually objectifying events or environments "is thought to directly cause distress and increase women's vulnerability to eating disorders, sexual dysfunction, anxiety and depression" – a recent study also found "strong evidence that exposure to objectifying events in daily life primes a state of self-objectification, making women more conscious of how their body appears to others... **just as breathing second-hand smoke is unhealthy for nonsmokers, we found that objectifying events need not be experienced first-hand** to induce the potentially harmful process of self-objectification. Witnessing sexual objectification of other women also reliably predicted ... increases in state self-objectification"<sup>56</sup> which in turn was related to lower positive emotions in everyday life.
- 3.1.11 The sexual objectification of women, as encouraged by and practised in SEVs, reinforces gender inequality<sup>57</sup>.
- 3.1.12 When men are encouraged to hand over money to buy sexual gratification from women who would not choose to do these acts if they were not being paid, this dehumanises women and promotes the '**sexist view of sex**' discovered in the recent YouGov survey for the End Violence Against Women in August 2019<sup>58</sup>.
- 3.1.13 Sexual objectification and sexual violence are consistently associated with each other (Gervais et al., 2014). Sexual objectification dehumanises women<sup>59</sup>. Men who objectify women are also likely to sexually victimise women<sup>60</sup>. "After having internalized the messages of male sexual privilege and female dehumanization, it should be easier for men to envision imposing themselves sexually on women and reacting punitively to women who frustrate their sexual goals." (Wright & Tokunaga 2016).
- 3.1.14 A recent study (Johnson et al. 2018) found that objectification of the other sex is associated with "**severe psychological aggression and physical assault perpetration**" in males, but not in females. This demonstrates that males and females react differently to objectification of the other sex.

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<sup>54</sup> <https://www.endviolenceagainstwomen.org.uk/major-new-survey-many-still-unclear-what-rape-is/>

<sup>55</sup> Wilmott, D. 'There is a problem with juries acting on myths rather than evidence' in *The Psychologist* December 2018 Vol.31 (pp.16-19) available from: <https://thepsychologist.bps.org.uk/volume-31/december-2018/there-problem-juries-acting-myths-rather-evidence> (last accessed 29th October 2019)

<sup>56</sup> Koval et al. (2019)

<sup>57</sup> See for example the Home Office Sexualisation Review (Papadopoulos, 2010); Heflick & Goldenberg (2009); Heilman & Stopeck (1985); Nicolson (1996); Rudman & Borgida (1995) See also the section (below) on modern policy approaches – evidence-led legal and policy directives acknowledge this link.

<sup>58</sup> <https://www.endviolenceagainstwomen.org.uk/our-major-new-survey-reveals-sexist-views-on-sex/>

<sup>59</sup> Loughnan et al. (2010)

<sup>60</sup> Rudman & Mescher (2012)

- 3.1.15 Male domestic violence offenders using the sex industry use more forms of aggressive violence and more controlling behaviours than those who do not use the sex industry<sup>61</sup>. Men who are sex buyers are significantly more likely (15%) than non-sex buyers (2%) to report that they would force a woman to have sex, or rape a woman, if they could get away with it. They also report having engaged in three times more sexually aggressive behaviour than men who were not sex buyers<sup>62</sup>. Men classed as “misogynistic” because of their self-reported hostility and violence towards women and their endorsement of rigidly traditional notions of masculinity were far more likely than members of any other group (including ‘sex-focused’ men) to have paid for sexual services including stripping, peepshows and lapdances<sup>63</sup>.
- 3.1.16 After being exposed to images that sexually objectify women, men are significantly more accepting of sexual harassment, interpersonal violence, rape myths, and sex role stereotypes – all of which act to reinforce gender inequality<sup>64</sup>. Importantly, this increased acceptance of harmful attitudes is not confined to particular women but generalises to **women as a group**.
- 3.1.17 The Women and Equalities Committee Report of October 2018 on Sexual harassment of women and girls in public places discussed the licensing of sexual entertainment venues:

#### **Licensing of sexual entertainment venues**

135. When licensing lap-dancing clubs and other sexual entertainment venues (SEVs), local authorities can decide to have a policy on licensing SEVs, including on the number of venues to license. The policy needs to reflect the basis on which a license application can be refused. Policies on sexual entertainment venues have been the focus of activity in some local areas because, as Karon Monaghan QC told us, such venues “have an impact on the wider community because they promote the idea that sexual objectification of women and sexual harassment commonly in those environments is lawful and acceptable.” Ms Monaghan continued: “How are we doing that in the 21st century? **We are not going to get rid of sexual violence if we mandate the sexual objectification of women in licensed venues.**”<sup>226</sup> (emphasis added)

136. Some local areas already take account of women’s safety when deciding their cap on sexual entertainment venues (SEVs). Avon and Somerset Police and the Police and Crime Commissioner’s office support a policy of having no SEVs in Bristol to advance women’s equality. Martin Rowland, Bristol’s City Centre Neighbourhood Manager for Avon and Somerset Police expressed the view that the industry exemplifies men’s objectification and entitlement of women. **He told us that: “The licensing of sex entertainment venues, and in particular lap dancing clubs, sends a clear message that authorities support and license activities that encourage these anachronistic attitudes.**”<sup>227</sup> (emphasis added)

137. Sheffield City Council has been subject to two legal challenges under the Public Sector Equality Duty by a group of local campaigners for failing to consider the impact on gender equality in the community when it licensed a branch of the Spearmint Rhino strip

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<sup>61</sup> Simmons et al. (2008)

<sup>62</sup> Farley et al. (2015)

<sup>63</sup> Casey et al. (2016)

<sup>64</sup> See the review of the American Psychological Association (2007) and see also for example Allen, D’Alession & Brezgel (1995); Lanis and Covell (1995); Zillman & Weaver (1989).

club and subsequently when it published a new policy on SEVs. The Council was forced to settle both cases on the basis that they had failed to comply with the PSED and is now consulting afresh on their policy. The case has potential ramifications for other local authorities who fail to consider these issues when licensing SEVs. Karon Monaghan QC told us: The power to take action lies in the hands of individuals. One can issue what is called judicial review proceedings in the High Court and say, 'My local authority has failed to have regard to the need to eliminate harassment when it licensed this club' or licensed a pub that is known to sexually harass customers, and so on.<sup>228</sup> However, it should not be up to local campaigners to force local authorities to make decisions that properly take account of women's safety and gender equality. The licensing regime in Scotland requires local authorities who adopt the relevant legislation on SEVs to consider the impact specifically with regard to the objective of reducing violence against women when preparing an SEV policy statement. They are also required to consult appropriate bodies, such as women's organisations or experts in prevention of violence against women.<sup>229</sup>

- 3.1.18 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.
- 3.1.19 In a multinational study of male violence against women published in 2013 by the United Nations<sup>65</sup>, the most common motivation of men who have admitted to rape is the **belief that they are entitled to sex** even without the female partner's consent. This study interviewed 10,000 men and 1 in 4 had raped their wife, their partner or another woman. That is not an insignificant minority of men. Entitlement, which is the stock in trade of lap dancing clubs, is the main motivation given by men who rape as professionals working with both survivors and perpetrators of sexual violence have told previous licensing panels. See, for example the case of a dancer leaving Bentley's strip club in Doncaster who was assaulted by a customer because she repeatedly refused his attempts to have sex with her.<sup>66</sup>
- 3.1.20 The most commonly identified attitudinal risk factor for men's sexual and domestic violence and coercion against women globally stems from gender inequality - a belief in the dominance of men, and their needs or wishes and bodies, over women.<sup>67</sup>
- 3.1.21 In a study for the *Journal of Sex Research* (Frank 2003)<sup>68</sup>, more than half the men interviewed said they were motivated to visit lap dancing clubs to get away from what they saw as the rules for behaviour that constrained them - that is, **treating women equally** - for example when

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<sup>65</sup> UN Women 10<sup>th</sup> September 2013 *Half of men report using violence and a quarter perpetrate rape according to UN survey of 10,000 men in Asia- survey* <http://www.unwomen.org/en/news/stories/2013/9/half-of-men-report-using-violence-and-a-quarter-perpetrate-rape-according-to-un-survey>

<sup>66</sup> <https://metro.co.uk/2017/04/23/strip-club-dancer-fractured-cheekbone-after-punch-from-client-that-pestered-her-for-sex-6592492/>

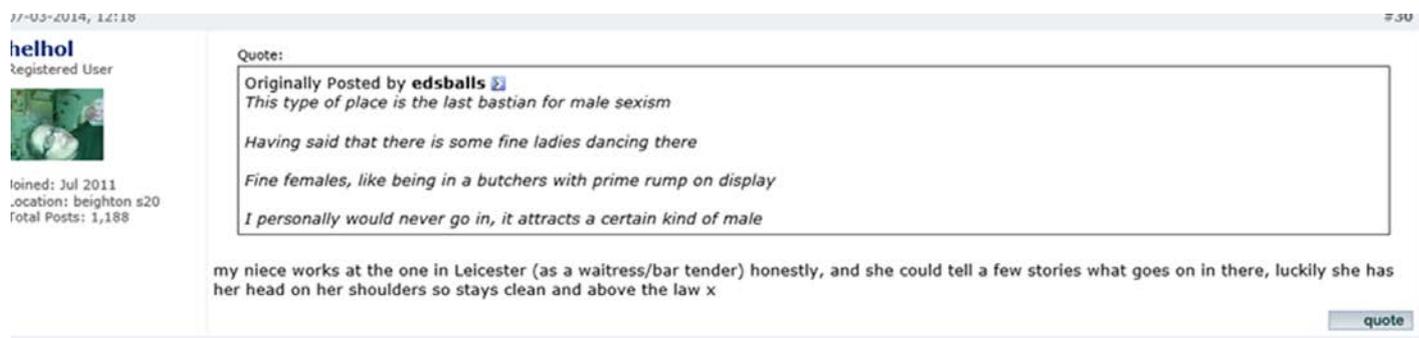
<sup>67</sup> Ricardo, C., Eads, M. & Barker, G. (2011). *Engaging Boys and Men in the Prevention of Sexual Violence*. Sexual Violence Research Initiative and Promundo. Pretoria, South Africa and Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. & Lang, J. (2013). *Why Do Some Men Use Violence Against Women and How Can We Prevent it. Quantitative Findings from the United Nations Multi-Country Study on Men and Violence in Asia and the Pacific*. Bangkok: United Nations Development Programme, United Nations Population Fund, United Nations Women and United Nations Volunteers.

<sup>68</sup> Frank, K. (2003) *Journal of Sex Research*, 40, 61-75 *Just Trying to Relax: Masculinity, Masculinizing Practices, and Strip Club Regulars*

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.’

3.1.22 Similarly, a post on Sheffield Forum about Spearmint Rhino stated<sup>69</sup>:



helhol  
Registered User

Quote:

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

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

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

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

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

3.1.23 This is manifestly incompatible local authorities' gender equality duties.

3.1.24 A psychological research study published in 2014 which used male students as its study population concluded that the frequently documented association between heavy drinking and sexual violence is mediated by the extent to which men engage in sexually objectifying women. In other words, '**alcohol use intensifies the objectification of women in a manner that increases sexual violence risk**<sup>70</sup>. SEVs provide alcohol and encourage sexual objectification. In fact, dancers actively encourage male customers to consume alcohol as testified by former dancers and indeed a Spearmint Rhino told one of the undercover investigators this in February 2019.

3.1.25 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. We reiterate that:

- # The sexual objectification of women, as encouraged by and practised in SEVs, acts to reinforce gender inequality<sup>71</sup>.
- # Sexual objectification dehumanises women<sup>72</sup>.
- # Male domestic violence offenders using the sex industry use more forms of aggressive violence and more controlling behaviours than those who do not use the sex industry<sup>73</sup>.

<sup>69</sup> <http://www.sheffieldforum.co.uk/showthread.php?t=1283563&highlight=spearmint+rhino&page=2>

<sup>70</sup> Gervais, S. J., DiLillo, D., & McChargue, D. (2014, January 13) Psychology of Violence *Understanding the Link Between Men's Alcohol Use and Sexual Violence Perpetration: The Mediating Role of Sexual Objectification*.

<sup>71</sup> See for example the Home Office Sexualisation Review (Papadopoulos, 2010); Heflick & Goldenberg (2009); Heilman & Stopeck (1985); Nicolson (1996); Rudman & Borgida (1995).

<sup>72</sup> Loughnan et al. (2010) Eur. J. Soc. Psychol. 40, 709–717

- # After being exposed to images that sexually objectify women, men are significantly more accepting of sexual harassment, interpersonal violence, rape myths and sex role stereotypes – all of which act to reinforce gender inequality<sup>74</sup>. Importantly, this increased acceptance of harmful attitudes is not confined to particular women but generalises to women as a group.

3.1.26 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)

3.1.27 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).<sup>75</sup>

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

3.2.1 Evidence-based research has now resulted in recommendations that the most effective way to reduce the prevalence of men's violence against women is to refocus on **community-level prevention**: that is, to change the cultural conditions which are facilitating men's belief that they are entitled to harass, abuse and violate women. These cultural conditions underpin the behaviour of individual men.<sup>76</sup>

*Sheffield Domestic and Sexual Abuse Strategy 2018-2022* states under *Priority Two: ELIMINATING VIOLENCE AGAINST WOMEN AND GIRLS* paragraph 8.8

'We will:

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<sup>73</sup> Simmons et al. (2008) *Violence Against Women* 14: 406

<sup>74</sup> See the review of the American Psychological Association (2007) and see also for example Allen, D'Alession & Brezgel (1995); Lanis and Covell (1995); Zillman & Weaver (1989).

<sup>75</sup> <https://www.girlguiding.org.uk/globalassets/docs-and-resources/research-and-campaigns/girls-attitudes-survey-2016.pdf>

<sup>76</sup> Hester M., & Lilley, S.J. (2014) *Preventing violence against women: Article 12 of the Istanbul Convention*. Council of Europe, Strasbourg; Jewkes, R., Flood, M., & Lang, J. (2015). From work with men and boys to changes of social norms and reduction of inequities in gender relations: a conceptual shift in prevention of violence against women and girls. *The Lancet*, 385, (Issue 9977), 1580 – 1589; Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. & Lang, J. (2013). *Why Do Some Men Use Violence Against Women and How Can We Prevent it. Quantitative Findings from the United Nations Multi-Country Study on Men and Violence in Asia and the Pacific*. Bangkok: United Nations Development Programme, United Nations Population Fund, United Nations Women and United Nations Volunteers.

- Promote public service messages that challenge abusive behaviour by men and boys, and promote respect for women and girls' (p.15).<sup>77</sup>

3.2.2 We argue that this cannot be achieved whilst upholding the notion that strip clubs are a legitimate form of “entertainment.” It is worthy of note that the Council broadly supports a ban on using animals as entertainment but not women.<sup>78</sup>

3.2.3 In 2017, the Sheffield Know the Line campaign was launched, with the backing of the Council.<sup>79</sup> By endorsing strip clubs and not having a nil cap enshrined in policy, the Council is giving very mixed messages with its sexual entertainment policy and consequent relicensing of the city's sole strip club whilst simultaneously backing such initiatives. Please note that Know the Line has objected to Spearmint Rhino's licence renewal every year since the campaign was established.

### 3.3 A culture of harm

3.3.1 SEVs promote harmful attitudes to women and run counter to promoting equality between women and men; we reiterate that these are not moral objections. SEVs reproduce and promote the prevailing financial and social inequality between women and men in our society, and they reproduce and promote the prevailing cultural assumption that women's bodies are objects to which men are entitled to have access. Citing examples of women accessing these clubs as customers, as has been done, as though this implies gender equality objectives are being achieved illustrates a clear lack of understanding of equality issues. Arguments about male strippers also fail to grasp that this does not mean that strip clubs are not sexist and furthermore, the troupe of male performers known as the “Chocolate Men” is predicated on racist stereotypes about black male sexual aggression and large penises; a trope which a common feature of pornography.

3.3.2 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 and still pending ratification<sup>80</sup>:

‘Parties shall take the necessary measures to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men’<sup>81</sup>

<sup>77</sup> <http://sheffielddact.org.uk/domestic-abuse/wp-content/uploads/sites/3/2013/05/Domestic-And-Sexual-Abuse-Strategy-2018-2022-FINAL.pdf>

<sup>78</sup> <http://sheffieldanimalaction.org/blog/sheffield-animal-action-presents-petition-sheffield-city-council-meeting/>

<sup>79</sup> <https://sheffielddact.org.uk/domestic-abuse/uncategorized/know-the-line-campaign-against-sexual-harassment-launches-in-sheffield/>

<sup>80</sup> Independent 16<sup>th</sup> December 2016 *Anti-domestic violence bill passes, despite anti-feminist MP's attempt to block it* <http://www.independent.co.uk/news/uk/politics/anti-domestic-violence-bill-istanbul-convention-passed-mps-women-vote-parliament-fgm-latest-a7479256.html>

<sup>81</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008482e>

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

‘The purpose of Article 12 is to reach the hearts and minds of individuals to ensure changes in mind-sets, attitudes and beliefs towards women, their role and status in society, their sexuality, as well as women’s agency. The ultimate aim is to change the behaviour of men and women, boys and girls, that is currently all too often influenced by prejudice, gender stereotypes or gender-biased customs and traditions, and that helps to perpetrate or condone violence against women (Article 12, paragraphs 1 and 2).’<sup>82</sup>

3.3.3 The British Council 2016 response to the UN Sustainable Development Goals (SDGs)<sup>83</sup> also recognises how:

‘Cultural platforms influence, shape and challenge the world through their stories, and stakeholders draw a clear link between stereotyped and sexist representations in dominant culture and the unfair treatment of women in society.’ (p.4)<sup>84</sup>

3.3.4 This new focus on violence against women is beginning to be reflected in policy and legislation. In 2015, as part of the revision to Scottish licensing law, an amendment to legislation was passed and enacted (the Air Weapons and Licensing (Scotland) Act 2015) which in S76<sup>85</sup> formally recognises the relevance of SEVs to violence against women:

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

3.3.5 At the Judicial review hearing regarding the revised 2016 sexual establishment policy, it submitted that:

‘There is no engagement with any wider impact of the presence of SEVs on gender equality, the elimination of discrimination, the advancement of equality of opportunity, or the fostering of good relations between the sexes, which are statutory equality aims. There is also no engagement with the evidence contained in the Zero Option response of the negative impacts of SEVs on women who work in them (and women more broadly).’ (claimant’s QC, Karon Monaghan)

#### 3.4 Evidence of links between exposure to objectification of women and ‘real life’ behaviour

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<sup>82</sup> Preventing violence against women: Article 12 of the Istanbul Convention (2016) <https://edoc.coe.int/en/violence-against-women/7140-preventing-violence-against-women-article-12-of-the-istanbul-convention.html>

<sup>83</sup> <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>

<sup>84</sup> British Council research on gender equality and empowering women and girls in the UK: Meeting the challenge of the Sustainable Development Goals (SDGs): <https://www.britishcouncil.org/society/womens-and-girls-empowerment/gender-equality-uk>

<sup>85</sup> <http://www.legislation.gov.uk/asp/2015/10/section/76/enacted>

3.4.1 A 2016 research publication identified<sup>86</sup> refers to the links between men being exposed to the objectification of women, having ideas that women are objects, and having ideas that are supportive of violence towards women. It supports the evidence for behavioural scripts being influenced by ‘fantasy’ or otherwise ‘not quite real’ depictions of women/sex such as we find in SEVs. The review makes reference to a study by Bogaert and colleagues, looking at how men treated women after viewing objectifying pornography. This study found that “Exposure to rape myth congruent depictions increased the sexually suggestive behavior of lower IQ men only. It was theorized that more intelligent men are less likely to deem scripts from entertainment media as appropriate guides for real-life opposite sex interactions.” This may possibly help to explain why men in decision making positions who may be more intelligent than average may find it difficult to understand the impact of scripts from SEVs in the general population.<sup>87</sup> The 2016 review highlights how SEVs undermine women’s equality:

*Thus, in objectifying media women’s role as a source of male sexual pleasure is emphasized and their humanity is deemphasized. After having internalized the messages of male sexual privilege and female dehumanization, it should be easier for men to envision imposing themselves sexually on women and reacting punitively to women who frustrate their sexual goals.<sup>88</sup>*

3.4.2 In a study conducted by the University of Kent and published in January 2017, it was found that “higher levels of objectification were significant predictors of aggression towards girls.”

And that:

‘Their findings are consistent with the claim that, among other negative outcomes, the perception of women as nothing but sexual objects also evokes aggression against them.’<sup>89</sup>

## 4 ARGUMENTS IN FAVOUR OF STRIP CLUBS

- 4.1 The arguments most frequently used by those in favour of the industry are generally made by those with a vested interest in the status quo whereas objectors tend to object because of concerns about the impacts the industry has on everyone, particularly women.
- 4.2 One argument is that if strip clubs close then unregulated stripping will still take place. Current policy does what it can to protect the interests of performers. It is important to note that there is no evidence at all that stripping would “go underground” if councils did not renew SEV licences nor is there any evidence at all that ‘occasional’ (unlicensed) performances would increase in number - as if there were an inevitable fixed market for striptease. As was argued in the judicial review of 2018, research that was clearly relevant, particularly in circumstances in which a single

<sup>86</sup> Wright, P.J & Tokunaga, R.S (2016) Men’s Objectifying Media Consumption, Objectification of Women, and Attitudes Supportive of Violence Against Women in *Archives of Sexual Behavior*

<sup>87</sup> Bristol Fawcett Society 2017

<sup>88</sup> Wright, PJ & Tokunaga op cit

<sup>89</sup> Vasquez, E., Pina, A. & Bell, C. (2017) ‘The sexual objectification of girls and aggression towards them in gang and non-gang affiliated youth.’ in *Psychology, Crime, and Law* <https://www.kent.ac.uk/news/society/12377/link-between-sexual-objectification-and-aggression> (last accessed 28th October 2019)

piece of contrary research (the Colosi research) was so heavily relied on was ignored and not made fully available to the Licensing Committee in its deliberations when considering the now quashed policy. We trust that this will not happen this time given that in the second judicial review against SCC in 2019, the court heard:

‘A tabulated overview of all consultation responses was also provided to the Committee as part of the Report. It is noted that none of the evidential content of the Zero Option responses (either to the first or second stage of the consultation process) was summarised in the appended table, and therefore none of the contrary academic evidence to that contained in the EIA’s “Supporting Information” section was before the Councillors when they took the Decision.’

- 4.3 The UK study undertaken in 2011 (Sanders & Hardy 2011)<sup>90</sup> found that the industry is fuelled by the supply of performers, not by a demand for performances. Therefore a business that recruits and trains performers and advertises their services, is fuelling demand. The act of giving a licence to allow this activity to take place is also an act that fuels demand. 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, as we have already highlighted in paragraphs 1.1 (bullet point 4) and 2.2. 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.
- 4.4 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%.
- 4.5 Research conducted by the Child and Woman Abuse Studies Unit at London Metropolitan University with 137 men who paid women for sex found ‘the accounts of men who had paid for sex overseas confirm that legality contributes to normalisation, which in turn increases the likelihood of paying for sex.’<sup>91</sup> In the context of SEVs a local authority policy that permits the licensing of SEVs contributes to normalisation in the same way which directly contradicts the Council’s statement in the Policy that it wishes to work to combat the normalisation of the objectification of women.
- 4.6 A recent international review for the Scottish Government finds that restrictive legislation (action which communicates to men that they don’t have legal access to the sex trade) leads to decreased demand as well as a reduction in trafficking for sexual exploitation (Malloch et al.

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<sup>90</sup> Sanders, T. & Hardy, K. (2011). The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings. Leeds: University of Leeds.

<sup>91</sup> From the website of End Demand: <http://enddemand.uk/about/frequently-asked-questions/>

2017)<sup>92</sup>. Further research supports the success of policy approaches that reduce demand for the trade in sex by acting on supply.

- 4.7 Legality contributes to normalisation which in turn increases the numbers of men who are customers in the sex trade – and men who are customers in the sex trade are significantly more willing to treat women unequally, to dehumanise women especially those who work in the sex trade, to be hostile towards women and to be violent towards women including their own partners. In the context of SEVs, a local authority policy that permits the licensing of SEVs contributes to normalisation in the same way.
- 4.8 Women performers being rendered unemployed is also another argument used to defend the industry, yet Spearmint Rhino’s own QC describes the performers as “peripatetic” stating “they will work in Sheffield one night and Wakefield another.”<sup>93</sup> Thus, the women have options to work in other clubs and many have spoken at hearings how the income they get from stripping supplements other incomes or they are students. Besides, employment or lack thereof, should not be a consideration for licensing decisions any more than it should be for all other licences granted/renewed/refused by Licensing. However, being unemployed is not synonymous with being unemployable as we are frequently told by those who support the strip trade whilst at the same time arguing that dancers are all competent, multi-skilled intelligent highly educated women.
- 4.9 Another argument presented against objectors is that we object on moral grounds and that it is us “shaming” the performers and one such performer accused objectors of “slut shaming” the dancers when speaking at the 2019 Spearmint Rhino renewal hearing. On the contrary, this is not a view held by objectors but research does show that women who work in the sex industry are stigmatised – not so much by the ‘general public’ – but by the men who use the sex industry. Farley et al. (2015)<sup>94</sup> found that men who were sex-buyers had less empathy for the women who sell sex, viewing them as intrinsically different from other women (inferior and less human than other women), compared to men who were not sex-buyers.
- 4.10 Objectors/campaigners are also wrongfully accused of “trolling” dancers on social media when in actual fact, most have ceased to engage with dancers as it was clearly counter-productive, for example, we were being accused of blaming strippers for domestic abuse and terrorism, whereas in actual fact a Twitter thread evolved organically to highlight the links between the objectification of women and perpetrating domestic abuse, drawing attention to a new study on the links between terrorists who have a background in perpetrating domestic abuse.<sup>95</sup> Despite initially engaging in a heated exchange of views and deciding to completely disengage, this has not

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<sup>92</sup> Malloch, M., Robertson, L., & Forbes, E. (2017). Evidence Assessment of the Impacts of the Criminalisation of the Purchase of Sex: A Review. Edinburgh: Scottish Government and Scottish Centre for Crime and Justice Research. ISBN: 978-1-78652-640-3. Available From:

<https://beta.gov.scot/binaries/content/documents/govscot/publications/research-publication/2017/02/evidence-assessment-impacts-criminalisation-purchase-sex-review/documents/00514185-pdf/00514185-pdf/govscot:document/>

<sup>93</sup> Spearmint Rhino hearing 2017

<sup>94</sup> Farley, M., Golding, J.M., Schuckman Matthews, E., Malamuth, N.M. & Jarrett, L. (2015). Comparing sex buyers with men who do not buy sex: New data on prostitution and trafficking. *Journal of Interpersonal Violence* 32(23), 1-25.

<sup>95</sup> <https://www.telegraph.co.uk/women/life/start-link-terrorism-domestic-violence-might-just-stop-next/>

stopped some dancers from repeatedly tagging campaigners alongside misrepresenting objectors with accusations of lying etc.

- 4.11 Another claim made by those who support the strip industry is that Spearmint Rhino benefits the local economy. We have yet to see any evidence of this given that we are unaware that any analysis of what Spearmint Rhino and its customers contribute to the local economy. Given the paucity of customers on the nights visited by the independent investigators, it is difficult to have faith in this assertion. Furthermore, as the coalition response to the Council's summary report of the investigation into breaches highlighted:

'Publicly available information about the accounts filed by Spearmint Rhino Ventures UK Ltd (the parent company for the Sheffield branch of SR and other branches including those in Birmingham and Bournemouth), of which the applicant John Specht has been one of the main directors since 2012 (as well as being director of each of the subsidiaries), also calls into question this portrayal of a highly effective manager and businessman; see <https://beta.companieshouse.gov.uk/company/03914051/filing-history>. We are not experts in accounts but just on a simple view it appears that over the period 2010 – 2017 the Spearmint Rhino UK chain has made an overall loss of over £4.9 million, with only two years in this time when it showed a profit: in 2017, £106K and 2013, £305K. (Indeed, it remains to be seen whether the profit reported in the 2017 accounts, filed on 12 July 2018, will remain in place: there have been several years, including 2014 and 2015, when the accounts initially filed by the company have shown a profit (albeit only £32K in 2014, and in 2015 only with an injection of £600K from John Gray, the head of Spearmint Rhino Worldwide) but in the following year's accounts revised figures have been given showing losses once again of hundreds of thousands of pounds. The accounts for 2018 have not yet been filed, although it is nearly 2 months after the date when accounts were filed last year, so this cannot be checked, nor can the 2018 accounts be considered). The rest of the time the group has lost huge amounts of money (up to £2.13million in a single year) and has been reliant upon capital injections from shareholders to continue to trade. Due to the very modest profits the company appears to have paid a correspondingly minimal amount of tax when it does turn a profit - an average of £19,000 per club in 2017. It also has a huge negative balance sheet, with net liabilities ranging from £1.57million to £2.61million over the period of the applicant's directorship. The company has also repeatedly had multi-million pound outstanding liabilities to HM Revenue and Customs and has needed to negotiate Time to Pay agreements for these.'<sup>96</sup>

## 5 LEGAL MATTERS

### 5.1 Background

- 5.1.1 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

<sup>96</sup> [Coalition] Joint Response to SCC Report into Alleged Breaches of Licence Conditions at Spearmint Rhino Sheffield, August 2019 pp 11-12

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.

5.1.2 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’

5.1.3 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.’<sup>97</sup>

5.1.4 Guidance by human rights law expert Dr James Harrison, Director of the Centre for Human Rights in Practice at the University of Warwick, confirms that refusal to renew is not a breach of human rights law.<sup>98</sup>

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

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

5.1.6 The Home Office Guidance refers to the question of the number of establishments and states quite bluntly 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”.

5.1.7 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”.

5.1.8 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

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<sup>97</sup> [http://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](http://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)

<sup>98</sup> <https://coventrywomensvoices.wordpress.com/2011/09/23/sex-entertainment-venues-and-the-human-rights-act/>

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.

5.1.9 We believe that the following authorities have taken a 'nil' approach:

Nil cap: London (a different regime) – Bromley Town; City of London; Enfield; Haringey; Harrow; Hounslow; Richmond; Havering<sup>99</sup>; Camden<sup>100</sup>

Nil cap but with grandfather rights: - Newcastle<sup>101</sup>; Coventry<sup>102</sup>

Nil cap: North Tyneside (all 8 SEVs to close<sup>103</sup>); Swansea<sup>104</sup>; Winchester<sup>105</sup>; Exeter<sup>106</sup>; Warwick<sup>107</sup>; Southend<sup>108</sup>

5.1.10 It appears that the London Borough of Ealing is working towards a zero option.<sup>109</sup>

5.1.11 The text *Sex Licensing* by Philip Kolvin QC states (p. 129, 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." Mr 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." Mr Kolvin also states (p7, para 2.5) that "**Parliament wrote into the legislation express provision for an authority to determine that nil is an appropriate number for sex establishments in a particular locality, and that from such decisions there should be no appeal**".

5.1.12 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

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<sup>99</sup> <https://www.havering.gov.uk/Pages/News/A-new-licensing-system-to-ban-unlicensed-sex-establishments-in-the-Borough.aspx>

<sup>100</sup> [www.camden.gov.uk%2Fccm%2Fcms-service%2Fdownload%2Fasset%3Fasset\\_id%3D2642539&usg=AFQjCNH5B48mhpCQgEVZil4c2O7DsYFBSw&sig2=OtilefOV83EEsY8gEYv4aA](http://www.camden.gov.uk%2Fccm%2Fcms-service%2Fdownload%2Fasset%3Fasset_id%3D2642539&usg=AFQjCNH5B48mhpCQgEVZil4c2O7DsYFBSw&sig2=OtilefOV83EEsY8gEYv4aA)

<sup>101</sup> [https://www.newcastle.gov.uk/sites/default/files/wwwfileroot/business/licences/sev\\_policy\\_4\\_4\\_12.pdf](https://www.newcastle.gov.uk/sites/default/files/wwwfileroot/business/licences/sev_policy_4_4_12.pdf)

<sup>102</sup> [http://www.coventry.gov.uk/downloads/file/8505/sexual\\_entertainment\\_venue\\_policy](http://www.coventry.gov.uk/downloads/file/8505/sexual_entertainment_venue_policy)

<sup>103</sup> [http://www.northtyneside.gov.uk/browse-display.shtml?p\\_ID=521816&p\\_subjectCategory=](http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=521816&p_subjectCategory=)

<sup>104</sup> <http://www.bbc.co.uk/news/uk-wales-south-west-wales-20178698>

<sup>105</sup> <http://www.winchester.gov.uk/licensing/sex-establishment-licence/>

<sup>106</sup> <https://exeter.gov.uk/media/1423/sex-establishment-policy-aug-2015.pdf>

<sup>107</sup> [https://www.warwickdc.gov.uk/download/downloads/id/171/sex\\_establishment\\_licensing\\_policy](https://www.warwickdc.gov.uk/download/downloads/id/171/sex_establishment_licensing_policy)

<sup>108</sup> [https://www.southend.gov.uk/downloads/file/396/sex\\_establishment\\_policy](https://www.southend.gov.uk/downloads/file/396/sex_establishment_policy)

<sup>109</sup> <https://www.standard.co.uk/news/london/ealing-council-seeks-ban-on-strip-clubs-as-last-venue-closes-a4234246.html>

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** (NB seems to contradict itself later by making an exception for an existing SEV): “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.”

## 5.2 PUBLIC SECTOR EQUALITY DUTY

5.2.1 The Council is asked to be mindful of the fact that it has lost two judicial reviews. In the 2018 judicial review, the Council's attention was drawn to Aikens LJ, giving the judgment of the Divisional Court, in *R (Brown) v Secretary of State for Work and Pensions* [2008] EWHC 3158 (Admin), [2009] PTSR 1506, as follows:

i) The public authority decision maker must be aware of the duty to have “due regard” to the relevant matters;

ii) The duty must be fulfilled before and at the time when a particular policy is being considered;

iii) The duty must be “exercised in substance, with rigour, and with an open mind”. It is not a question of “ticking boxes”; while there is no duty to make express reference to the regard paid to the relevant duty, reference to it and to the relevant criteria reduces the scope for argument;

iv) The duty is non-delegable; and

v) Is a continuing one.

vi) It is good practice for a decision maker to keep records demonstrating consideration of the duty.

5.2.2 The Council is also asked to note that in cases where the decision may affect large numbers of vulnerable people, many of whom fall within one or more of the protected groups, the due regard necessary is very high: *R (Hajrula) v London Councils* [2011] EWHC 448 (Admin) at §69. This requires gathering the necessary information to conduct a rigorous analysis, including evidence based information about specific impact on those with protected characteristics: *R (JM) v Isle of Wight Council* [2011] EWHC 2911 (Admin) at §122 and *R (W) v Birmingham City Council* [2011] EWHC 1147 (Admin) at §176.

## 6 ADDITIONAL CONSIDERATIONS

- 6.1 As discussed, 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 Iceland in 2010 and the country has long been deemed the best place in the world to be a woman. For the past nine years, Iceland has topped the World Economic Forum's [gender equality index](#); the UK comes in at 15th<sup>110</sup> whereas we ranked 9<sup>th</sup> in 2006 so are performing worse than we were just over 10 years ago.
- 6.2 It is also reported that in both Canada<sup>111</sup> and the United States of America<sup>112</sup> that strip clubs are "dying out" which appears to be a developing trend here in the United Kingdom<sup>113</sup> with a decrease in popularity among its key audience (see bullet point 4 at paragraph 1.1). In a survey on "stag dos" conducted by The Big Domain in 2018, it was reported that "65% said they hated the objectification of women at stag parties and feared pictures and videos could damage relationships and careers."<sup>114</sup> Furthermore, According to the BBC, the number of lap dancing clubs has fallen by a third in England<sup>i</sup>. The same report states that "a survey conducted by YouGov in 2015 found that 64% of people in Great Britain said strip clubs were a negative part of British culture."<sup>115</sup>

## 7 OTHER LICENSING ASPECTS

- 7.1 Local authorities should also adhere to Section 141 of the Licensing Act 2003<sup>116</sup> makes it an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises. In light of the recent case of Gil David who it is reported claimed that Spearmint Rhino had "exploited" his drunkenness and stated 'I wasn't in control of my faculties and didn't realise what I was spending.' He added 'I was coerced into spending a third of my salary in five hours.'<sup>117</sup>

<sup>110</sup> <https://www.theguardian.com/commentisfree/2018/jan/05/iceland-female-women-equal-pay-gender-equality>

<sup>111</sup> <https://www.narcity.com/news/strip-clubs-are-shutting-down-all-across-canada-and-heres-why>

<sup>112</sup> Is the American strip club dying out? 5<sup>th</sup> July 2019 available from: <https://www.bbc.co.uk/news/world-us-canada-48667681>

<sup>113</sup> Sex shops and lap dancing clubs in England fall by third, 23<sup>rd</sup> February 2018 available from: <https://www.bbc.co.uk/news/uk-england-43043842>

<sup>114</sup> 'Farewell to the stag do? Bachelor parties are dying out as grooms fear drunken antics will be shared online' Daily Mirror 26<sup>th</sup> May 2018. Available from: <https://www.mirror.co.uk/news/uk-news/farewell-stag-do-bachelor-parties-12601761>

<sup>115</sup> 'Sex shops and lap dancing clubs in England fall by third' 23<sup>rd</sup> February 2018. Available from: <http://www.bbc.co.uk/news/uk-england-43043842>

<sup>116</sup> [http://www.cps.gov.uk/legal/l to o/licensing of alcohol/#introduction](http://www.cps.gov.uk/legal/l%20to%20o/licensing%20of%20alcohol/#introduction)

<sup>117</sup> <http://www.bbc.co.uk/news/uk-northern-ireland-30013478>

## 8 IN CONCLUSION

- 8.1 We believe that the presence of SEVs undermines gender equality in creating unsafe spaces and a hostile environment for all women.
- 8.2 Whilst there has been a steady mainstreaming legitimising the normalisation of the sexualisation and objectification of women, we are also experiencing a cultural shift with many in society rejecting these values as illustrated by recent successes in the *No More Page Three*<sup>118</sup>, *Lose the Lad Mags*,<sup>119</sup> *Banknote*<sup>120</sup> #Timesup<sup>121</sup> and #Metoo<sup>122</sup> campaigns.
- 8.3 We reiterate that a 2016 report published by the Fawcett Society states:
- ‘There is a strong bedrock of support for equality between men and women – in 2016 it’s time to speed up the pace of change and ensure we aren’t waiting another 150 years to achieve it.’(p. 2)<sup>123</sup>
- 8.4 We urge Sheffield Council to take on board the growing body of research evidence about the harmful impact of SEVs, to listen to the growing numbers of women’s voices who have left the industry and to be part of this change and thereby fully aligning with the City’s *Domestic and Sexual Abuse Strategy*.

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<sup>118</sup> [https://en.wikipedia.org/wiki/No\\_More\\_Page\\_3](https://en.wikipedia.org/wiki/No_More_Page_3)

<sup>119</sup> <https://www.theguardian.com/media/2015/nov/17/fhm-zoo-magazines-suspend-publication>

<sup>120</sup> <https://www.channel4.com/news/jane-austen-banknote-money-bank-of-england-carney>

<sup>121</sup> <https://timesupnow.org/>

<sup>122</sup> [https://en.wikipedia.org/wiki/Me\\_Too\\_movement](https://en.wikipedia.org/wiki/Me_Too_movement)

<sup>123</sup> <http://www.fawcettsociety.org.uk/wp-content/uploads/2016/01/Sex-equality-state-of-the-nation-230116.pdf>

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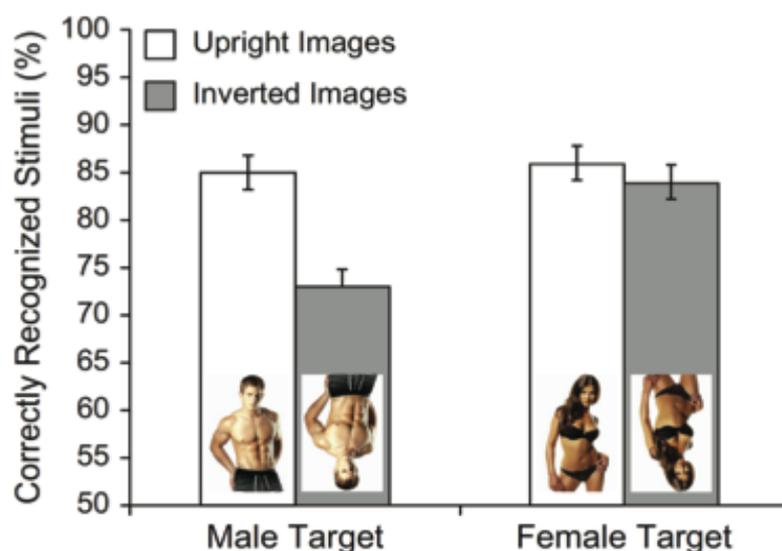
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## OBJECTIFICATION RESEARCH – AN EXAMPLE

The chart below, from an objectification study published in 2012, shows how both men and women in our society are trained by culture (i.e. representations of women in society and in the media) to dehumanise women when they are presented wearing very little, revealing, clothing. In this study, the brains of both men and women (the ‘targets’) have processed images of women in underwear in the same way as they would process images of objects. However the images of men (whether or not in underwear) are processed using the special part of the brain reserved for humans. This study is one of a growing number of scientifically robust peer-reviewed research studies concerning the objectification of women. Together, they link the objectification of women with dehumanisation and inequality.<sup>124</sup>

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



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

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

Bernard et al. (2012)

<sup>124</sup> Bernard et al. (2012) University of Nebraska - Lincoln *Integrating Sexual Objectification With Object Versus Person Recognition: The Sexualized-BodyInversion Hypothesis* <http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1568&context=psychfacpub>

## Former dancers' words

Those working in the industry may put forward views to be considered in any policy review, and there is a place for those views to be taken into consideration. It would also be right to give weight to the voices of those who, having left the industry, say their experiences of performing have had a negative impact both personally and more broadly.

We have heard from women in the industry as well as those who have left the industry in the course of our work on SEVs and they have offered a range of views, which are mostly negative. We have used their views to shape our responses to consultations. However we do not have permission to share their words. There are some views that are in the public domain, primarily those gathered by former dancer Jennifer Hayashi Danna in research for her 2011 book<sup>125</sup> and those gathered in a consultation run by the campaign group Object<sup>126</sup>.

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.”
- “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.”
- “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 . . . “
- “We were encouraged to act like little girls, lost demure, submissive and dumb, which is what makes men part with money quickest.”
- “They wanted a bimbo who would be subordinate to them”
- “It was dehumanising, soul destroying and filled with desperation.”
- “The strange thing about lap dancing is how things that would be unacceptable in real life become normal in the club.”
- “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.”
- “I always thought of the customers as vermin and, ironically, that is what they thought of me”
- “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 . . .”

<sup>125</sup> Stripped: The Bare Reality of Lapdancing by Jennifer Hayashi Danna with Sandrine Leveque

<sup>126</sup> Stripping the Illusion: the Lap Dancing Industry Exposed. <https://www.youtube.com/watch?v=Cwg57pLJZUI>

- “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.”

Kat Banyard interviewed a former dancer, “Lucy” for her 2010 book, the Equality Illusion. Lucy told her:

‘Lapdancing is one of the hardest things I have ever done. I’ve found it tough, soul destroying. You are constantly lying about who you are . . . Worst of all for me, you are forced to behave in a way which is consistently demeaning and submissive.” Lucy goes onto say that you let your boundaries slip in order to make money “But when everyone else is breaking the rules, you have to join in . . . The rules are broken all the time.”<sup>127</sup>

Another former dancer told Banyard “it’s not glamorous or exciting at all, it’s a horrible world that is cruel and abusive to vulnerable women.” (p. 167)

Researcher Kely Holsopple (1998) asked women who were currently working as strippers about their views of customers. She reported that “Strippers are largely disgusted by customers and describe them as pitiful and pathetic, stupid and ignorant, sick, controlling and abusive.” She recorded a number of the strippers’ views:

- "They are weak abusers who have to subordinate women and girls to feel like a man."
- "I see my dad. They’re old enough to be my father."
- "Yuck. I am repulsed by the sight, sound, smell, and touch of them."
- "I’m embarrassed for them."
- "It affects your love-life and feelings about men."

In 2018 campaigner against sexual exploitation Sammy Woodhouse spoke out about her experience as a lapdancer and the links that she now acknowledges between violence against women and girls, exploitation and lapdancing. She was interviewed in August 2018 by Sky News.<sup>128</sup> In her own words:

- I started when I was about 18, I got into the industry while working as a model - I kind of fell into it. I wasn’t pressured, I wasn’t forced into it and it was entirely my choice. However, I was abused as a child and I left school with no qualifications, very low self-esteem, not much self-respect, and I kind of didn’t see anything wrong with it at the time. I did it for about nine years and what I noticed was a hell of a lot of the women that were dancers had been through something traumatic in their lives, they were abused as a child or had been through domestic violence and they were in that industry for reasons like my own - control, empowerment or just wanted to earn some easy money.
- I thought "this is my choice, my body, I can do what I want with it". I felt like I was in control of it and I felt like it was empowerment and when I look back now, I realise that's absolute nonsense. At the time, girls might be getting a lot of compliments, it might make them feel great, they're earning money but that's very short-lived. The impact long-term on your mental health and self-esteem is really very damaging.
- You take your clothes off and give a man an erection - that's not empowerment, that's not something little girls grow up and aspire to want to do. But I did it and it paid my bills. There were

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<sup>127</sup> Banyard, Kat The Equality Illusion: The truth about women and men today 2010 Faber and Faber Ltd pp.136-137

<sup>128</sup> <https://news.sky.com/story/i-thought-lap-dancing-was-empowering-but-it-wasnt-11469167>

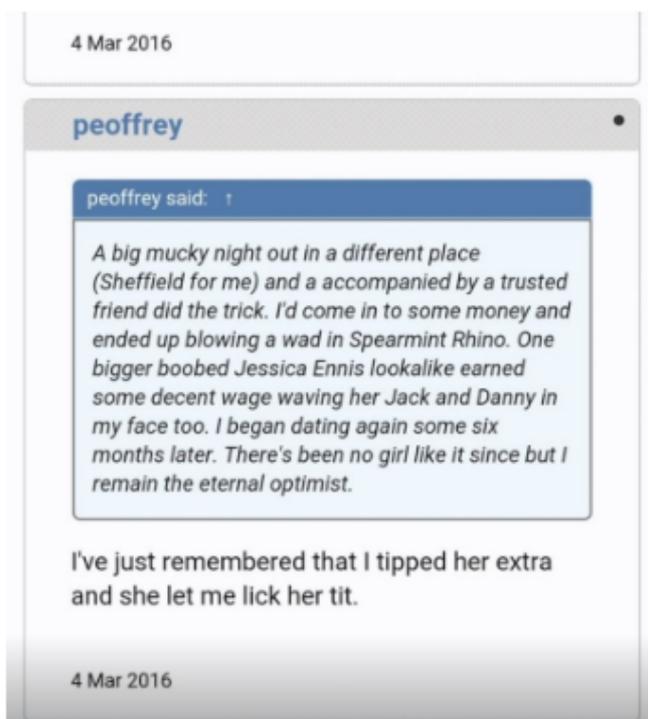
times when I made a lot of money, there were times when I didn't earn anything. The only people that win are the clubs.

- It's almost as if the clubs are grooming the girls to think that the people who work in these clubs are like a tight family network and that they care about the girls, that they're one big happy family. And it makes it really difficult for people to go against that and the moment they do, they're fired, they're shut down. Word will get round that they're a bad person to take on.
- Within the industry there's trafficking, prostitution, money laundering, fraud, drug and alcohol abuse and it's an industry that not many people know or understand. For the girls, how you get treated is horrendous. Some clubs are better than others but there is no way a club can control the amount of criminal activity that's happening. The verbal abuse I have received for speaking out has been absolutely shocking.
- At the time, if you had said to me the girls were being exploited - I would not have had any idea what exploitation was. A lot of things that were exploitative, I would not have realised were happening.
- No one should ever be expected to be touched, groped or assaulted. I know girls that have been drugged and raped. Some girls are drinking and taking drugs every night just to be able to do the job.
- It turned me against men, I viewed men as very weak and pathetic and I thought "you're giving me all your money". When you have that control it makes you feel good but now I realise that's not empowerment, that's manipulation.
- The simple fact is, the clubs don't want to raise the issues, the managers don't want to raise the issues and neither do the girls, because guess what? They're making money.
- Essentially, they're selling women - we're in 2018 and people think it's alright to go buy a woman for whatever sexual need it is?
- My message to women thinking about working in the industry and those who already are is - don't do it. You're worth so much more and I wish I had realised I was worth so much more and that I could go out there and do anything I put my mind to. There are plenty of ways you can earn good money without it being so damaging.
- I know you shouldn't have regrets but would I do it all over again? No, I would not.

In 2018, journalist Samantha Rea went undercover to work in eight different SEVs in London as a lapdancer. She wrote an account of her experiences for the Independent newspaper which can be read here: <https://www.independent.co.uk/voices/presidents-club-sexual-harassment-business-lap-dance-vip-exploitation-a8177691.html>

**These reviews from customers have been found on a variety of online platforms and indicate a culture of disregard for the “no contact” rules and promises of sexual contact in exchange for more money (otherwise known as “extras”)**

This reviewer states that extra cash gave him the opportunity to “lick” the dancer’s “tit.” This was sent to Licensing and objectors were informed that Licensing officers had visited the club and there was no cause for concern.





**Andy Blake** reviewed **Spearmint Rhino - Sheffield, UK** – 1★

18 Sep 2016 at 9:04p.m. • 🌐

Avoid the [redacted] girl. Complete scammer exploiting drunk men. If you pay by card she adds an extra £10 onto the bill calling it a "service charge". She also says you can touch her just to fool you into a dance. Does she heck. She doesn't even dance. She stands about 5 meters away and when you complain stating this isn't even a lap dance, she starts demanding more money and then "she will dance and let you touch her" if you pay her the same amount again. please sort her out management. Giving your club a bad name.



**Spearmint Rhino - Sheffield, UK**

1,371 likes



# Spearmint Rhino Sheffield

60 Brown St, Sheffield

 Write a review

4.4  15 reviews 

Sort by: Most relevant 



**Chief**

Local Guide · 23 reviews · 1 photo

 3 months ago

Got dragged in by a mate when I was drunk and a girl took advantage of me by getting me to pay for more expensive dances and for longer times every dance and that's all she's telling you throughout each dance and then telling me that we can do more (touch) in private which costs even more but you can't and they try to stop you from leaving by going in hand with you when you go to pay everytime and obviously trying to get you to get more dances as that's their job. 20% more on card also.

 Like



**James Francis**

1 review

 4 months ago

I enjoyed my experience. But drinks with price less, apart that it was great

 Like



**PainfulExistence**

2 reviews

 9 months ago

THE GIRLS R SOOOOO HOT THY RIDE MY COK LIK A GIR RIDES A HORSE

 1



**Angel Head**

2 reviews

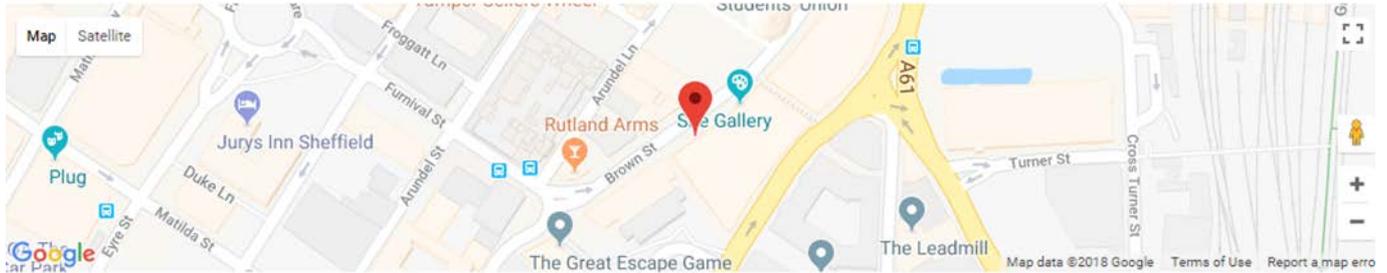
Posted on this site:

lustnames.com

Search...

Login

Join now



Strip clubs → Europe → England → Sheffield → Spearmint Rhino



Spearmint Rhino

★★★★☆ 4 reviews

Add review

+44 (0)1142 798 092

60 Brown Street

### Prices and features

Club type: Nude Dancers

Dancers Ethnicity : White

Features: Beer and Wine, Full Bar, Bikini Dancers Only, Topless Dancers, Nude Dancers, Bikini Lap Dances

Dance price: 20

Drink price: 3

Dartime cover: 10

Atmosphere: 3

Dancers: 3

Value: 3

Overall: 3

### Comments and reviews

Atmosphere:

★★★★☆

Dancers:

★★★★☆

Value:

★★★★☆

Overall:

★★★★☆

Joined us on Jan 2017

I went on the tuesday, as it is a student night, meaning free entry with a student card!

10 pounds all night for dances were also really good value, and I ended up spending about 90 pounds, all in all it was very worth it and the girls were very attractive. You also get sambucca and tequila shots for a pound each which is great if you are looking to get a bit merry.

The club is a very good environment, and is as non-sleazy as a strip club could possibly be, and the girls are actually interested, and dont look bored out of their faces like most places ive been.

I have had a private dance before, and the girl was very good and naughty ;) Would definitely recommend spending some extra cash!



anonfig

2014-05-12

Visit Day: Tuesday

Visit Time: After

0 0 0

“Naughty private dance” implies more than dancing

Atmosphere:  
★★★★☆

Dancers:  
★★★★☆

Value:  
★★★★☆

Overall:  
★★★★☆

Joined us on Jan 2017

Another visit to Spearmint Rhino sheffield; this time a little bit better than the last. Ventured in on a monday a little bit before 10pm and it was v. quiet as I expected. However, there were certainly more girls on this time than my sadly lacking previous visit. The prices are always very reasonable here, the £40 for 15 minutes is certainly one of the best deals around as the VIP rooms where you get taken are very plush, private and the girls are straight into the action. However, sometimes I feel 15 minutes without a break is a bit too long and my mind tends to wander, although it soon comes back again when some of these girls pummel there behinds into your groin. I swear it was almost painful a few times!!! In general the girls are pretty good looking but not stunning, they are pleasant enough and won't rush you and as usual for Spearmint Rhino the club is managed pretty well.



kally71

2005-10-13

Visit Day: Unknown

Visit Time:

0

Ends/

# **APPENDIX B**

## **Stage One Comments –**

**1 neutral, 2 supporters, Sheffield  
Safeguarding Partnership and Public Health)**

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APPENDIX C  
Stage Two Comments  
(7 comments)

**From:** [REDACTED]  
**To:** [licensing@service](#)  
**Subject:** Re: Sex Establishment Policy Consultation - Updated Draft  
**Date:** 28 January 2020 16:00:29

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Dear sir,

Thank you very much for sending me the email below. I fully support the draft policy in particular in that it sets the appropriate number of such establishments as Nil.

Regards,

[REDACTED]

Please excuse typos: sent from my phone.



## Submission re Sheffield City Council's policy on SEV Licensing

1. WE Sheffield welcome the clear shift in emphasis in this new drafting of the SEV Policy from viewing SEVs as a legitimate part of the nighttime economy to a far more cautious approach with an attempt at understanding some of the issues.
2. In this document we will review the new draft and make reference to it section by section, whilst also commenting on the policy overall.
3. Part 2 – Overview  
We note the addition of the “vulnerable adults” in the section which references safeguarding, although are concerned that whilst there is an acceptance that those working in the establishments may be vulnerable adults there is no detail about how they may be protected.
4. It is noted that at the last hearing for the Spearmint Rhino license application the Council's lead for Safeguarding did not seem to connect the fact that many of the dancers who spoke made reference to having experience of sexual abuse, which arguably makes them vulnerable adults, and were now involved in the sex industry.
5. Please see the following article on the Nordic Model Now website  
<https://nordicmodelnow.org/2019/04/14/the-sex-industry-preys-upon-poor-abused-and-mentally-ill-women/>
6. This section also makes no reference to the harm which is done to society as a whole by having SEVs in our communities. Hyper-sexualisation of women is already extremely prevalent in our society, but is intensified in the culture of lap-dancing clubs and pornography, sold by sex shops. It is the essence of the sex industry and at the core of glossy promotional publicity, as evidenced by photographs from typical club websites and promotional twitter posts, which promote misogyny and sexism, and celebrate demeaning attitudes to women.
7. This section also states that “consideration” will be given to the Equality Act, whereas the Equality Act is in fact a statutory duty not a

“consideration.”

8. This section goes on to state that the Council does not take a moral stance in adopting this policy. It is unclear why it is necessary to point this out, it is unnecessary to declare a negative and is irrelevant.
9. Part 4 – Integration with other statutes  
The council has a general duty to consider its responsibilities pursuant to section 149 of the Equality Act 2010 and have due regard to the need to:
  - a. Eliminate discrimination, harassment and victimisation.
  - b. Advance equality of opportunity between the sexes and
  - c. Foster good relations between the sexes.
10. In 2018 the High Court overturned Sheffield City Council’s last policy on SEVs. During the proceedings the Court endorsed the principle that the duty to promote or advance equality is a central obligation.
11. The court ruling also made it clear that when considering the PSED that everyone should be considered, not only those working in, visiting or in the general vicinity of the SEV. This drafted policy does not reflect this.
12. It must therefore be treated as a primary consideration when drafting the Council’s new policy on SEV licences and reflected in any arguments put forward by the council in formulating its policy. Although the PSED is referred to, stating that the policy “includes a clear and unequivocal commitment to meeting the PSED”, it is not in fact clear what that commitment is and what actions are being taken to combat the issues raised in the points below regarding the hyper sexualisation of women which is promoted by SEVs and the harm that this has on different groups and on society as a whole.
13. We would argue that in fact there is nothing that the Council can do which will ensure that the presence of SEVs in our city and within our communities does not have a negative effect, and that the Council’s duty under the Equality Act means that licensing SEVs is completely contradictory to its statutory duty to eliminate discrimination, harassment and victimization, to advance equality of opportunity between the sexes and to foster good relations between the sexes.
14. Although there is a whole paragraph regarding the Equality Act there is no reference to how the policy actually adheres to the legal responsibility of that duty. Nowhere in this new drafted policy does it state how licensing SEVs achieves the above listed statutory duties.
15. It is also not clear who delivers the training to the License Committee members or what would be included in this training. In the past members of the Licensing Committee have shown a shocking lack of understanding of the realities of the sex industry, ignored research presented to them by well respected experts in the field and simply taken everything that the

applicant has presented at face value. We would suggest that this training comes from an organisation such as Women's Aid, Saffron (Sheffield Women's Counselling Service) or SRASAC.

16. It is extremely difficult to give proper feedback on this section of the policy when we have not been given a copy of the Equality Impact Assessment. We would ask that this is shared as quickly as possible so that we can complete our feedback on the policy and the assessment itself. It is unclear, when the EIA is such an integral part of the policy, why it has not been distributed with the draft.
17. The most likely applicants for SEVS are lap-dancing clubs or so called gentleman's clubs, although Sheffield does facilitate a number of sex shops, but currently no sex cinemas.
18. Despite the clear shift away from the almost celebratory feel of the previous draft, this drafting of the policy still does not reflect the reality of this industry and there is no commitment in the policy to researching or understanding it. The business model is wholly dependent on extreme sexual objectification and yet there is still no acceptance of this fact.
19. It is also noted that when research and evidence has been presented to Licensing Team in the past, as part of submissions to hearings, this information has not been passed on to the Committee. If the Council is not going to find the research which has been carried out it must pass on the research which has been found by others to those making the decisions.
20. The Council's own investigation into Spearmint Rhino last year found over 200 breaches of their licence. Spearmint Rhino have always presented themselves as the "harmless fun" side of the sex industry, but the Council now know this to be untrue and the investigation highlighted that it is of paramount importance that the Council seek the opinions, knowledge, research results and evidence from differing sources, not just the industry itself, because they will obviously always present themselves in a positive light.
21. The lap-dance itself (normally taking place in a private booth, again as last year's investigation confirmed, although the club itself attempted to present otherwise) replaces consent with commodification by means of the exchange of money, and acts out the fantasy of the idealized subservient female. This is reinforced in the common areas of the venue by ensuring there is over-staffing of self employed dancers vying for attention. This is to give the idea of an abundance of submissive women available to the customers.
22. It is virtually impossible to imagine visitors to these clubs returning to their businesses in this city, without having reinforced ideas of women as

submissive sex objects. As a consequence women are more likely to be the victims of sexual harassment on the street and in the work place. Research by Eaves Housing into the effects of licensing as updated by the Met Police, found 3 years after 4 SEVs opened in 1 local authority, rape increased by 33% and sexual assault by 55%, plus there were increased levels of harassment in the area.

23. Studies have shown that objectification of women and sexual harassment are contributors to the gender pay gap, and impediments to women competing with men on a level playing field in the work place. See inter alia submission of 'Close the Gap' to Women and Equalities Commission inquiry into sexual harassment in the work place – March 2018.
24. A study by Plan International last year found that two thirds of young women aged between 14-21 have been sexually harassed in a public place in the UK.
25. There is also a recognized connection between domestic violence and a culture where men are encouraged to see women as sexual, submissive objects. Women's Aid for instance describes domestic violence as "deeply rooted in issues of power, control and inequality."
26. Although the policy states that the local authority must do all they can do to prevent crime and disorder in their area, without an understanding and acceptance that SEVs contribute to all the issues listed above, the Council cannot ensure that this is put into practice.
27. Sheffield City Council cannot ignore its obligations to promote equality nor can it legally avoid its responsibility to address all of these issues.
28. Part 5 – the process of applying for a licence  
It is noted that the policy states that any objections received by the local authority which do not relate to grounds within the Act will be rejected, and it is accepted that the decision to grant or refuse a licence can only be made on the grounds within the Act. However, the policy needs to make it clearer what "rejected" actually means.
29. There must be a mechanism by which local individuals and communities can make their feelings regarding Sheffield hosting an SEV known to the committee, whether these fit within the legal definition of an objection or not. It is unreasonable to expect individuals, without legal training and of differing levels of education and understanding, to be able to write what amounts to a legal objection, and reject their thoughts and feelings if their statement is found to be legally lacking.
30. Without the above the Council could find itself in a situation where for example, 100 objections could be "rejected", not seen by the Committee, and the Committee make a decision based on their understanding that only a few people take issue with the licensing. There needs to be the

capacity to ensure the learning from these views help develop the policy and make licence application decisions which represent the community's values.

31. It is also noted that the draft policy does not include any specific structure for hearings. In order to ensure that these are carried out in a fair and equitable way it is essential that the policy includes a hearing structure. This should include timescales between license application and hearing, code of conduct for hearings, timescales for report and decision.
32. The policy should make it clear that hearings are to be held within 2 months of the license application, be in council rooms which are large enough to ensure that anyone wishing to attend can do so, and are to be open to the public.
33. Applicants and objectors evidence should be submitted to the committee and also be included in the pre-hearing report, which should also be made public. The pre-hearing report, including all the appendices, should be circulated to the applicants and all objectors, and also be made available on the Council website at least calendar 7 days prior to the hearing.
34. The hearing should be of a length that any objectors wishing to speak can do so, and that the applicant has enough time to present their case.
35. It is very important that it is emphasized within the policy that there should not be a presumption of veracity of the applicant. This has happened too often at past hearings, where the sub-committee has ignored evidence presented by objectors but taken everything presented by the applicant at face value.
36. The above should be included in a Code of Conduct, which should also be drawn up for all parties at the hearing: applicants; objectors and the sub-committee. This should include general behaviour, treatment of vulnerable persons and councillors conduct.
37. Part 6 – Policy in relations to Discretionary Grounds  
We believe that the DBS checks should be enhanced rather than basic.
38. The list given for relevant individuals convictions, should state at the end that the presumption is that the license will not be granted, rather than it is unlikely.
39. Reports of unsuitability of a licence holder – this part of the policy should have a clear formal process with timescales. In the last year the Council have found themselves in a position where a very serious investigation was being conducted into breaches and possible unlawful activity at a SEV in the city, which was allowed to continue to operate, for several months, making a mockery of the 12 month licence. The policy needs to include what would happen should this situation arise again. We would argue that in this situation a licence is suspended, and operations halted whilst the

investigation is conducted. This would also mean that the emphasis was on the licence holder to assist with investigation as much as possible as they would be unable to trade.

40. Number of Sex Establishments

We welcome the inclusion of a nil cap for the centre of Sheffield, however the wording should be changed to “position” rather than “proposes” – the policy should make the position of the Council clear.

41. We would argue that the nil cap should be extended, to each area of Sheffield. If the right number for the centre is nil, communities outside of the centre should not have to deal with SEVs in their areas either.

42. By treating the centre differently to the rest of the city this risks creating a “sex industry district” within the city, which therefore gives the impression that the city is supportive of the existence of such an area.

43. The Council have made a distinction between the treatment of so called “new” licences (although legally every licence is a new licence) and licences which have been given previously. However our own legal advice has been that existing licence holders cannot be treated differently to applicants who have not made an application previously.

44. It is also the case that the Council cannot create what is in effect a monopoly for any existing SEVs, by presuming that those already holding a licence are the only companies whom would ever be granted a licence.

45. The policy therefore becomes a contradiction. If the Council believes that the right number of SEVs for the centre of Sheffield is nil, why would it continue to licence any SEVs? It appears that the Council wants to give the impression of doing the right thing, ie a nil cap, whilst in reality continuing with the situation as has been for some time. This makes a mockery of the nil cap. In short, the Council is trying to have its cake and eat it.

46. The policy needs to make it much clearer under what circumstances a licence will be refused. The last 12 months has seen a club which was found by the Council’s own investigation, to have breached their licence over 200 times and where the Council’s own staff recommended that the applicant should be considered to be unsuitable, still granted a licence. It is fair to say that this came as somewhat a surprise to all involved: the applicant; objectors; other councilors; and the local media. If a licence is not refused, even in these circumstances, it is difficult to see under what circumstances it would be refused. The policy needs to make it clear that the presumption will be on refusal if a licence is not strictly adhered to.

47. We would also add that if the Council believes that a company is indulging in tax avoidance that this would be taken into account when considering the licence application.

48. There should also be a presumption of refusal if it becomes clear that any SEV is not treating its staff, either by way of ignorance of policy or procedure or by means of non-payment, properly.
49. Discretionary Grounds – Location  
The “will have regard to” should be changed to “will not license.” The Cultural Quatre and the Knowledge Gateway for Sheffield Hallam University should be added to the list of “use of other premises.”
50. It is unclear what the “nature of the premises” means seeing as the policy is only regarding SEVs, and we would argue that the presence of the SEV in the area, no matter the opening hours, is the relevant and significant factor. This sentence would appear to be superfluous.
51. Again the policy needs to be clear that each and every application is a new application and that each application should be treated as a fresh application and considered on its merits or negative consequences for the area.
52. Conditions – the policy needs to be more precise in its instruction, and should read “Management of sex establishments *must* ensure that all members of staff working in a licensed premises are fully aware of the conditions.”
53. The theme of needing to be more precise in instruction continues throughout the policy. The policy should not be open to interpretation.
54. Part 7 – Policy in Relation to Safeguarding  
Again the words “are expected to” should be replaced with the word “must.” “Periodically” should be replaced with a specific timescale, we would suggest 6 weekly. Whilst we welcome the comprehensive list for welfare visits, this check should not be carried out by management of the premises. Again whilst we welcome the new emphasis on safeguarding, the fact that there is an acceptance of the need for sexual health advice, condoms and signposting to domestic violence services, surely underlines the link between this industry and these social issues.  
It also needs to be clear who will review the report, who will decide whether this needs to be reviewed by the sub committee, what criteria will be used to make this decision? These are all questions which need to be answered, if not in the policy itself, in an appendix to it.
55. We would also add that the Council should provide a service for women wanting to exit the industry and that information regarding this, and other exit services, should be included in the information available to staff.
56. Whilst we welcome the new emphasis on safeguarding, it must be pointed out that it is unusual for any workplace to need to have this much emphasis on safeguarding, which intrinsically supports the view that SEVs and particularly strip clubs are inherently dangerous places to work. It is

also noted that whilst there has always been a denial from both the SEVs themselves and via the licensing of them, the Council, the Council now seems to be accepting that there is a link between strip clubs, unsafe sex, and prostitution. If this were not the belief of the Council it would not now be offering training from SWWOP plus the information that it is now proposed is made available to the women working there. It therefore stands to reason that the question must be asked that if the Council now accepts this link, why would they continue to licence such establishments?

57. It is a high-risk industry where women are asked to work in degrading and dangerous environments which expose them to prostitution and trafficking. It is the business practice of all lap-dancing clubs to engage the dancers on a self-employed basis rather than as employees. As a result they have no employment protection including statutory sick pay or holiday pay pursuant to the Working Time Directive. It is the very reason, due to the high risk nature of the industry, that the Government decided to allow local authorities more discretion under the regulations as to whether they wanted SEVs in their areas, and yet the Council has chosen their own blindness to those realities, even when their own investigation has shown these to them.
58. Part 8 – Enforcement  
The title of this part of the policy is misleading as the emphasis is very much on supporting the continuation of the licence rather than the enforcement of the licence conditions.
59. The complaints procedure should be formalised.
60. Although we welcome the new emphasis in this policy, it is still lacking in real understanding and real action for Sheffield. Although it includes a new acceptance of some of the issues, it also accepts the continuation of those issues, because it only provides some mitigation for the risks that those issues bring with them. The Council could, and should, take the responsibility of taking the decision to eliminate the risks by declaring itself an SEV free city.

Women's Equality Party  
Sheffield Branch  
February 2020

Although some of the sections in this document are repeats of our previous submission please ensure that this submission is seen as an addition to our submission of October 2019, not as a complete replacement.

**From:** [REDACTED]  
**To:** [alerts@subscriptions.sheffield.gov.uk](mailto:alerts@subscriptions.sheffield.gov.uk); [licensing@sheffield.gov.uk](#)  
**Subject:** Re: Sex Establishment Policy Consultation - Updated Draft  
**Date:** 23 February 2020 18:53:06

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Dear Licensing

We support the responses made by WEP, Not Buying It Sheffield and Zero Option.

Best wishes

Women of Steel

## Zero Option Response to v .02 DRAFT Sex Establishment Policy

Zero Option welcomes the decision to set a nil cap to the number of sex establishments in Sheffield City Centre.

We would recommend (1) that the same considerations that informed the decision to set a nil cap in the City Centre should be applied to all areas within the city of Sheffield and that the revised Sex Establishment Policy should reflect this with a nil cap set for each specific area. There should be a clear effort made not to privilege an area which is less disadvantaged than other areas such as, for example, Attercliffe, where we note there is a proliferation of establishments known colloquially as massage parlours.

We note that it is proposed that

‘Existing establishments are exceptions to this number and therefore that this presumption-(that any new application for any type of sex establishment licence shall be refused)-does not apply.’ Yet one underpinning principle of the Licensing regulations is that a fresh eye should be cast on renewals and they should not be granted tacit approval without the same scrutiny as a new application: circumstances can and will change during the period a licence is held and thus full scrutiny is required. There is a requirement for Licensing to review each renewal as well as any future applications, but no obligation to effectively automatically renew.

We recommend (2) that the above phrase should be removed from the revised Policy and (3) a section be added to clarify that licence renewal applications will be viewed with ‘a fresh eye’ as rigorously as new applications as circumstances may change within the period covered by a licence. For example, community views may change and the sex establishment licensing law was drafted to allow each local authority to address the views of their relevant communities.

Given that the Council considers that no sex establishments are appropriate for the City Centre, then logically using the same reasoning it cannot be appropriate to grant any further licences within that area, whether or not they are new or renewal applications. Thus we recommend (4) that there should be a presumptive rebuttal for licence renewals within the City Centre. This does not preclude a Licensing Hearing for each renewal application, but similarly to the situation for new applications, where a presumed rebuttal is proposed, the same principle will be applied to renewal applications.

Part 2 of the revised Policy lists what the Council wishes to promote in the Policy but omits any concern about the safeguarding of children under 18 in the locality of sex establishments. Having a Sexual Entertainment Venue in Sheffield effectively gives everyone, including children and young people, the message that it is acceptable to objectify women as sex objects, and much research evidence shows that men who hold more objectifying views of women and girls are more likely to be violent to them. Thus it cannot be ignored that this is a safeguarding issue. The Policy includes a wish to promote the safeguarding of vulnerable adults in the locality of sex establishments: (5) it should also include children and young people

Part 4 of the Policy states

‘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.’

We would agree that violence against women and girls is endemic and sex entertainment venues and pornography promote both the objectification of women and, via the related dehumanisation of women, are linked to violence towards women and girls. This will have an effect on men who do and men who do not visit sex establishments: the harm caused affects the whole community. Awareness of porn and SEVs is widespread, including amongst children.

We note there is a new section in the revised Policy on safeguarding. We welcome the implicit recognition that sex establishments are inherently harmful- if this was not understood, then there would be no need for a whole section on this. However, there is no escaping harm where there is porn- and strip clubs can be considered to be a form of porn-porn in the flesh, rather than for example on film or in print. The harm is in the objectification that women performers in clubs or in front of a camera undergo, as this involves dehumanisation. This requires a mind-body split, called psychological dissociation. Undergoing this psychological process repeatedly causes psychological trauma-complex post traumatic stress disorder. Often when women are involved in performing they do not recognise the adverse psychological effects on them-similarly to women in abusive relationships, who often only come to an understanding of the trauma they have experienced once they are outside the harmful situation and have left their abusive partner: this is a survival mechanism. We recommend (6) that if the Council wishes to do what is in its power to do to reduce violence against women and girls, it would set a nil cap to the number of sex establishments it will licence in all areas of our city.

We recommend (7) that Part 7 states that there should be a minimum of six unannounced safeguarding visits to sex establishments annually, which should be during their operating hours. Details of exactly what should be checked and by which team should be given.

We query why SWWOP (Sheffield Working Women's Opportunities Project) is to be contracted to train SEV managers, given that SWWOP works with street prostitutes and prostitution within SEVs would render the SEV to be a brothel, and prostitution and operating a brothel is illegal. Sexual contact is prohibited in SEVs.

The Safeguarding section also requires SEVs must make information on public health support services available to workers-this alludes to sexual health and contraceptive services, which are funded by Local Authorities who run Public Health Departments rather than the NHS. Literature including on information on sexual health must be displayed. The Welfare Checklist requires condoms must be available in staff and customers' toilets and that sexual health self-test kits should be available to staff and customers. Although sexual contact is not permitted there seems to be a double standard in operation as all of these provisions indicate there is an understanding that it does indeed occur. We wish to point out that this was what the Private Investigators who visited Spearmint Rhino strip club uncovered recently but surely the Council would not wish to appear to be acknowledging that this is continuing by introducing these mitigating measures.

The Safeguarding section requires specific information on sexual health, safeguarding concerns, substance misuse, sexual and domestic abuse, debt and financial management and mental health to be available for staff. This suggests that sex establishments are particularly likely to attract and employ vulnerable people as other workplaces do not have such requirements. Indeed, research has shown that poverty is a major driver for women to go into the sex trade. Women use drugs and drink to enable them to continue in the trade for their mind-numbing effects to enable them to cope

with the associated psychological distress. At Spearmint Rhino's last Licensing Hearing it was distressing to hear the testimonies of so many performers at that club who had experienced sexual abuse: this should be raising a red flag with the licensing Committee and raising questions about why sexually abused young women would be involved in sexually performative public venues. No amount of information can counter the inherent harm of the sex trade. Again, we recommend a nil cap be set for sex establishments in all areas in Sheffield to promote the health and wellbeing of women and girls.

We recommend that a whistleblower system be set up within the Licensing Department for sex establishment workers to contact in confidence for all work-related matters of concern (8).

We recommend (9) in Part 7 that sex establishments should also be required to display information about groups which are critical of the sex trade, rather than just those which are supportive, such as Not Buying It, an organisation that campaigns against the sexual exploitation of women and girls and supports ex-dancers and Nordic Model Now!, a campaign group that campaigns for the criminalisation of pimps and punters and is against the criminalisation of sex workers. Information about exited dancers' support groups should also be provided. Many women in the sex trade recognise its inherent harm but feel powerless to leave: contact with these groups can be the first step in empowering them to exit the sex trade.

Alongside efforts detailed in this revised Policy to mitigate the inherent harms of sex establishments we recommend (10) that Sheffield Council develops a specialised service to support women exiting working in porn and sexual entertainment venues.

In Part 2 it states that the Council recognises that Parliament has made it lawful to operate sex establishments (11) in the interest of balance and openness it should state that the law also allows the Council to set a nil cap to the number of sex establishments allowed in any and all particular areas within the Local Authority boundary.

Part 2 also states the Council does not take a moral stance in adopting this Policy. (12) To avoid misunderstanding, moral in this context should be defined or preferably omitted as it has been the cause of misunderstanding and /or misinterpretation at previous Hearings (for example, being erroneously linked with implied religious beliefs and has been used to mischaracterise objectors) and the dictionary definition of moral is merely with regards to passing judgements as to whether something is 'Good or bad, right or wrong, inappropriate or appropriate etc'

It is noted that the Equality Impact Assessment (EIA) alluded to in Part 4 is not included in the revised draft. Thus it is impossible to comment on it, which is crucial in ensuring that the Council has taken appropriate consideration of all relevant matters under its obligations under the Equality Act. With only a 4 week consultation period allowed for this draft, there is insufficient time to obtain the EIA under an FOI request, so full consultation on this draft Policy has not been possible.

Part 4 states that the revised Policy should be

'kept under regular review, particularly in the early period of implementation...'

We recommend (13) that a clear review period should be stated and recommend initial review in one year, given the need to ensure that the enforcement provision in the Policy, which is a new area

and thus needs a period of operation to test its suitability and an opportunity for timely review, is fit for purpose.

The section about the Human Rights Act in Part 4 refers to Article 1-pointing out that a licence is a person's possession. We recommend that it should be added to the discussion about this Article in the interest of balance and clarity that it is not a breach of the Human Rights Act to deny a licence, as long as the relevant Licensing law is followed.

We recommend (14) that in Part 5 where those who can object are listed, that this also includes 'people who do not live in Sheffield'

We recommend (15) that the Licensing Committee should at all times strive to keep itself informed of the views of the community, so it should have a process whereby objectors can contact the Committee with any objections they have to sex establishments: circumstances change. Thus when License applications are considered current community views can be borne in mind and the Committee should be able to demonstrate that it is being representative of community values. This should be reflected in the revised Policy.

Further clarity of the pre-Hearing process is required. We recommend (16) that should the applicant submit evidence to the committee following receipt of the report, this evidence should be circulated to all objectors a minimum of 10 days before the Hearing, to allow a reasonable amount of time for due consideration prior to the Hearing.

We recommend in Part 5 a statement be included that all sex establishment licence applications, both new and renewal applications, should be decided through a Hearing (17) , including a clear commitment to allowing all objectors to speak at Licensing Hearings (18) and that these should all be open to the Public (19).

We recommend in Part 5 that a statement should be added that objections should always be presented to the Licensing Committee in full, rather than in summary (20). It is important that for a fair process to be done and to be seen to be done, the Licensing Councillors are aware of all views when deliberating on Licensing decisions.

We recommend (21) that those who Chair Licensing Hearings have good quality training in chairing. At a previous Hearing we have seen a vulnerable witness being humiliated by a barrister without the Chair stepping in. This will undoubtedly put others off speaking.

We recommend (22) training for all Licensing Councillors to enable them to give a greater degree of scrutiny of evidence presented at Hearings, especially given that solicitors and barristers may be involved in proceedings. Training should also be given on the whole spectrum of violence against women and the physical and mental health effects of this (23).

We recommend (24) in Part 6 that enhanced rather than basic Disclosure and Barring Service certificates should be obligatory for all managers of sex establishments. These should be processed independently of the sex establishments.

In Part 6 it states that If the applicant has previously been involved in running an unlicensed sex establishment or it will be managed by or run for the benefit of someone who would be refused a

License, then the 'application will likely be refused.' We recommend (25) there should be a presumption that it will be refused.

We recommend that in Part 6 it is added that applicants who withhold or who have withheld payment to staff in sex establishments and this includes refusal to cash chips earned by workers within establishments for which they hold the licence, should automatically be deemed unsuitable to hold a Licence (26). Likewise Licence holders of sex establishments which are involved in tax avoidance or evasion should automatically be deemed unsuitable to hold a licence (27).

We recommend that there is greater clarification of the discretionary grounds for refusing a license. Sections i) and ii) propose a list of various places and areas that will be considered in the proximity and vicinity of a sex establishment. This includes schools, hospitals, sexual abuse centres- effectively places used by children and vulnerable adults. If these important community places are nearby we recommend that a License should NOT be granted (28). This matter is lawfully at the discretion of each Local authority to decide and thus it would be lawful in this situation, should the Council so choose, for this to be incorporated into the Policy's lawful discretionary conditions.

In Part 6 ii) re use of other premises in the vicinity of sex establishments we recommend (29) that universities, the Knowledge Gateway and corridor and the Cultural Industries Quarter should be added to the list of premises the Licensing Authority should have due regard to when considering a License application. The Vice-Chancellor of Sheffield Hallam University has made his university's objections to being adjacent to a sex establishment, a sexual entertainment venue, very clear.

Part 8 of the revised Policy is weak. It has the effect of, and appears to be designed with the clear intent of, enabling establishments where there are concerns to continue to operate. There is no detailed provision to guide management by the Licensing Department where there have been significant serious problems, for example multiple Licensing breaches and /or unlawful sexual activity, as we have seen with Spearmint Rhino in the past year.

We recommend (30) that a set of clear graded responses should be outlined according to the nature and severity and number of concerns: for example, it may not be appropriate to allow an establishment to continue to operate or its operation may require suspension pending further investigation and this should be set out clearly. The need for this has been clearly identified in the reports from the Private Investigators who visited Spearmint Rhino which the Licensing Department has been provided with.

Zero Option welcomes the implicit change in emphasis in this revised Policy to recognition of the inherent harm posed by the objectification of women, whether it is in magazines, on film or in the flesh. Safeguarding has been given a major emphasis but as the Policy states, it is an attempt to 'mitigate' harms. Within this statement is a recognition that harm cannot be totally abolished: indeed psychological trauma is inescapable for anyone performing in the sex trade. For men and boys it has the effect of promoting dehumanising views of women, associated with an increased likelihood of those men who hold dehumanising objectifying views of women being violent towards women. Licensing such places is not in keeping with the Council's obligations under the Public Sector Equality Duty and as such is, in effect, unlawful.

It is now time for Sheffield Council to take a stand for women and girls and for men and boys and to set a nil cap throughout the city (31): to do otherwise is to effectively knowingly condone violence against women and girls and is a clear dereliction of the Council's obligation under the Equality Act to foster good relations between the sexes.

We would be happy to discuss our recommendations further and to provide supporting evidence and information.

Zero Option, Sheffield 21/02/2020

**Sheffield** **Not**  
**Buying**  
**It**

**Comments by Not Buying It Sheffield made inline using tracked changes and highlighted in green and in the review margin**

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

## Licensing Service

### Document Control

Version	Date	Comments
V.01	5/4/19	DOCUMENT SENT FOR CONSULTATION
V.02	5/11/19	Updates following end of consultation

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Equality Act 2010	#
Human Rights Act 1998	#
Provision of Services Regulations 2009	#
Crime & Disorder Act 1998	#
<b>Part 5 - The process of applying for a Licence</b>	#
Making an Application	#
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Suitability of the Applicant, Manager & Beneficiary Policy	#
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Number of Sex Establishments	#
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Location	#
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<b>Part 7 - <u>POLICY IN RELATION TO SAFEGUARDING</u></b>	#
<b>Part 8 - Enforcement</b>	#
Better Regulation Delivery Office: Regulators' Code 2014	#
Complaints	#
Data Sharing	#
<b>Part 9 - Parallel Consent Schemes</b>	#
The Licensing Act 2003 (the 2003 Act)	#
Planning and Building Regulation Control	#
<b>Part 10 - Definitions</b>	#
<b><u>Appendix A</u></b> <a href="#"><u>Checklist for Regulatory &amp; Welfare Visits to Sex Establishments</u></a>	

## 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 the 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.~~

Comment [AB1]: We welcome the removal of these statements

## Part 2 – OVERVIEW

The Council's Sex Establishment Policy ("the Policy") sets out the 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 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~~ adults working in the establishments, visiting as customers or in the locality of sex establishments.

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 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, and it~~ is the Council's role as the Licensing Authority to regulate such premises in accordance with the law.

**Comment [AB2]:** It is concerning that any vulnerable adult would be working in a sex establishment given the nature of this industry and the harms on the women who work there, as has been shared with campaigners from women in the industry or who have left.

**Comment [AB3]:** Will this also be subject to consultation? How much change can be made to this policy without consultation with the public and Licensing committee approval?

**Comment [AB4]:** Surely it is more than "consideration" as this is statutory legislation which the Council is subject to.

**Comment [AB5]:** Superfluous comment, especially given the judge's comments when granting permission in the 1<sup>st</sup> JR? Also no definition of the word moral provided

## Part 3 – CONSULTATION ON THIS POLICY

This policy was subject to a 12 week consultation.

It is now subject to a further 4 week consultation.

## Part 4 – INTEGRATION WITH OTHER STATUTES

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

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

### Equality Act 2010

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

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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.

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.

### Equality Impact Assessment

A detailed Equality Impact Assessment (EIA [556](#)) has been undertaken and kept under review throughout the drafting of this policy, the consultation process and then finalised on publication of the attached to the policy document when it was submitted to the Licensing Committee for approval. Further EIA's will be conducted where necessary.

**Comment [AB6]:** Does this refer to the EIA? Who is responsible for reviewing it? It is very hard to comment fully on this in the absence of an EIA. In the past, EIAs have made reference to papers which support the sex trade and lapdancing without providing any balance. Please ensure that the Committee has the paper prepared by Sheffield NBI which refers to all the literature and articles which evidence the harms of the industry to allow them to make a fully informed decision and to take a more balanced view on the industry. Any other such research references by other objectors should also be put in full before the committee as this was an issue in the judicial review of 2018.

~~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.~~

~~The EIA has informed the development of the policy to mitigate outcomes considered to be potentially harmful.~~

### 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 and disorder in the city.

**Comment [AB7]:** It would help to have seen this with this draft and to comment on the mitigating outcomes. I hope it acknowledges that the sexual objectification is harmful to all, in particular women and girls. Evidence of this has been provided in Sheffield Not Buying It's response in the first stage of this consultation process

**Comment [AB8]:** 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  
<https://coventrywomensvoices.wordpress.com/2011/09/23/sex-entertainment-venues-and-the-human-rights-act>

/

# Part 5 – 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.

**Comment [AB9]:** Given the CCTV debacle in the VIP rooms at Spearmint Rhino, this should also be clearly marked on any plans

Please refer to Part 7 – Policy in Relation to Safeguarding for information on resources available in designing such codes of practice, rules and welfare policies.

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; and
- 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.~~

**Comment [AB10]:** We welcome the removal of this for reasons stated in our submission during the first stage

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, e~~Objector's personal details such as name, ~~email address,~~ address and telephone number will be removed.)

~~Any organisation, MP or councillor objecting in their capacity as such will not have their organisation's name/name redacted~~

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

~~Some authorities conduct site visits as part of the licensing process and this would be welcome in Sheffield. If sub-committee members visit the premises that they are considering the licence of. Furthermore, the chairing needs to be really robust. In past hearings, an former dancer was traduced at a hearing and the chair should have intervened. Similarly, last year, supporters were allowed to continue making scurrilous claims about objectors when the chair had stipulated that all must remain respectful throughout proceedings. There also needs to be more interrogation of the applicant statements/witness statements which in the past have been taken at face value yet objectors have drawn to Licensing's attention via witness statements and a "Referral inaccuracies within such statements"~~

## Determination of Applications

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

## Licensing Sub-Committee Application Determination Hearings

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.

A Licensing Committee Hearing report will be prepared and will include the application papers and any and all details of objections received during the consultation period.

Information identifying objectors will be redacted from the report.

The hearing report will be circulated to all parties to the hearing as soon as practicably possible and at the latest, 21 days before the date of the hearing.

Should the applicant wish to submit evidence to the committee following receipt of the report, they must ensure it is submitted as soon as practicably possible and at the latest, 14 days before the hearing and be made available to all interested parties with any sensitive information redacted.

Following the hearing, a written determination will be sent to all parties notifying of the decision and the reasons.

## **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.

**Comment [AB11]:** As we know from experience, it is quite complex to apply the strict criteria to objections and this can be a barrier to making objections. We feel at the very least that any objection should be counted numerically within the total number submitted otherwise it can exclude some groups of people from having their voices heard which is anti-democratic

**Comment [AB12]:** See added sentence highlighted in green

## Part 6 -- POLICY IN RELATION TO DISCRETIONARY GROUNDS

### 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 basic Disclosure and Barring Service Disclosure Scotland (DBS) certificate that is dated no earlier than 5 weeks prior to the application being submitted should accompany the application.

**Comment [AB13]:** This should be an enhanced DBS check. Who will do the DBS check? Who does it for taxi licences?

Where the relevant individuals have convictions for:

- (a) dishonesty;
- (b) violence, including civil orders for domestic abuse as well as convictions for violence (including domestic violence) stalking, harassment, coercive control and other offences against women that may be passed in future legislation;
- (c) sexual offences;
- (d) drugs;
- (e) public order; or
- (f) people trafficking;

it is unlikely that a licence will be granted.

**Comment [AB14]:** We would like to see this strengthened and that a licence will not be granted under these circumstances rather than "it is unlikely . . ."

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.

### Reports of unsuitability of a licence holder made during the term of a licence

Where reports are received by the Licensing Authority during the term of a licence that evidence harm to women in or around sexual entertainment venues, the licence will be referred to the Licensing Sub-Committee to determine whether the licence holder, manager or beneficiary remain suitable to hold the licence.

**Comment [AB15]:** What process does the Council envisage for this to happen without having a protracted period where the establishment continues to operate regardless of the risks posed to women in or around?

## 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.

The Council proposes that the appropriate number of sex establishments for the Sheffield City Centre<sup>1</sup> is nil.

**Comment [AB16]:** This is a really welcome development, however, could this be strengthened to "The Council's position is . . ." rather than "The Council proposes"?

There shall therefore be a rebuttable presumption that any new application for any type of sex establishment licence shall be refused.

Existing establishments are exceptions to this number and therefore the presumption does not apply.

**Comment [AB17]:** Based on legal advice given it is not clear why this is.

The number of licensed establishments in Sheffield at the time of writing this policy is:

Sexual Entertainment Venue	Sex Shop	Sex Cinema
2	2	0

The aim must be for a clear policy statement that confirms (i) that there can be no expectation of automatic renewal see: Turner J in R v L B Wandsworth ex p Darker Enterprises Ltd (1999 WL 478089) set out a general principal (3) in Oxford v Thompson (HC) para [50]

Should any operator that currently holds a sex establishment licence, surrender their licence or have it revoked, there shall be a rebuttable presumption that the licence will not be replaced.

The presumption shall not apply to the renewal or variation of an existing sex establishment licence, however, renewals and variations will not automatically be granted.

It is inherently inconsistent and unreasonable to have a policy that does not treat new and existing clubs' applications the same in terms of the rebuttable presumption of a nil limit. We can see no good reason for this and we note that the Council has not even attempted to articulate one. The Council clearly recognises that there should be no SEVs in the city but fails to address the very existence of such an establishment; there is no rational justification for this.

Any application will be considered on its merits at the time the application is determined by the local authority.

Also see Camden's new approach to renewals:  
<http://camdennewjournal.com/article/last-dance-councillors-back-tougher-regime-for-strip-clubs>

<sup>1</sup> Sheffield City Centre is defined by the "This is Sheffield - Sheffield Our City Centre Plan 2018-28".

## 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, **including the Knowledge Gateway**, 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).

**Comment [AB18]:** Please see comments on the original revised policy as submitted with our paper summarising the research, see the screenshot below.

**Comment [AB19]:** By this definition, there will be people affected by all of the reasons that they may access any of the services, everywhere; they will not be limited to only being in the vicinity of one of these. For example, given the number of survivors of sexual violence, they will not only be in the vicinity of a sexual violence support centre

## 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](#).



### Alison Boydell

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 the 2011 policy



### Alison Boydell

If these additions are **not** made, then the committee should be 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?

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

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

In the case of renewal applications, the fact of whether development has occurred since the premises 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:

- 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

Not Buying It Sheffield response to SCC 2<sup>nd</sup> DRAFT DOCUMENT FOR CONSULTATION  
February 2020 28/1/2020 to 23/2/2020

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.

Management of sex establishments are expected to ensure that all members of staff working in a licensed premises are fully aware of the conditions.

This should involve providing each member of staff with a copy of the conditions when they begin working for the business and providing clear and consistent training on how to comply with the conditions as well as details of the consequences and procedures for when the licence conditions are deemed to have been breached.

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

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 7 – POLICY IN RELATION TO SAFEGUARDING

The Council is committed to minimising the risk of harm to employees of sex establishments, vulnerable customers and members of the general public that could be impacted by such establishments.

This section provides applicants and licence holders with details of training and resources available to recognise and respond to areas of vulnerability as well as measures that are expected to be in place.

Licence holders are expected to notify and make information easily available to staff and the Licensing Authority recommend the inclusion of materials and information referred to in this section in an employee induction pack at the point of recruitment.

Safeguarding visits will be made periodically to sex establishments and licence holders/managers are expected to ensure records are kept up to date in order to demonstrate due diligence.

Comment [AB20]: Strengthened to "must notify"

Comment [AB21]: Are these unannounced? A minimum number of unannounced visits per annum is recommended, for example, 6 times per year

By way of assistance, a checklist has been drafted by Public Health, Safeguarding and Licensing that could form the basis on which to design/strengthen codes of practice, rules, and welfare policies (see Appendix A).

Public Health would welcome the opportunity to review drafts produced by applicants/licence holders and provide evidence-based feedback to consider. Further information is available on (see Appendix A).

## **Policies & Procedures**

Appropriate procedures should be in place and information available to allow staff to understand what to do if they have a problem at work.

Policies/procedures should be in place in relation to:

- the welfare of staff, performers and patrons (SEV only);
- code of conduct for staff and performers;
- social media policy for all staff and performers;
- the disciplinary procedure to address an employee's conduct;
- the grievance and appeal procedure to deal with a problem or complaint that an employee raises; and
- the health and safety policy measures in place that reduce the risk of violence to staff.

These should be in writing, communicated and easily available to all staff.

Records should be maintained that staff have read and understood the above.

## **Support Services**

Holders of SEV licences must make information available on public health support services to workers.

An induction pack containing welfare information from a recognised body should be available to all staff.

Management of SEV's are expected to undertake a "Safeguarding & Welfare Awareness Session" provided by SWWOP (Sheffield Working Women's Opportunities Project), either on an annual basis or sooner where there has been a change to the management of the premises. There will be a charge for the training - please contact sali@swwop.org for further details.

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.

SEV licence holders should consider having a trained occupational health first aider present at all times that the venue is operating. This will provide a first point of contact for workers experiencing health (including mental health) issues and can signpost to more comprehensive support services.

Information on peer to peer education resources such as 'Dancers Info' ([www.dancersinfo.co.uk](http://www.dancersinfo.co.uk)) should be promoted as should dedicated Trade Union information for the industry which supports staff welfare, health and safety. For example, literature could be displayed in changing and staff rooms.

Contact details of whistleblowing email addresses/phone numbers should be made public in performers' changing areas

Details of exit programmes should be made available to women wishing to leave the industry

## **Training**

The licence holder should ensure that all members of management and staff attend relevant safeguarding training as well as having access to up to date educational resources available.

Training should be designed to support management and staff (including door staff, bar staff, DJ staff and performers) to recognise and respond to vulnerability in adults who are employees, voluntary workers, self-employees, performers, or customers.

**Comment [AB22]:** Also please see You My Sister, [youmysister.org.uk](http://youmysister.org.uk)

**Comment [AB23]:** See what Rotherham Council is developing. We know that once performers reach their 30s, many are considered too old to continue so they may be forced to leave. Similarly, some women may wish to leave, may have been sacked or if a club is shut down, may need support especially where they do not have any other experience outside of the strip industry.

We are also aware of several women from Spearmint Rhino London who have contacted Not Buying It about unlawful practices within the club.

Training should include: mental health, substance misuse/addiction disorders; mental capacity, learning disabilities and unacceptable sexual behaviour.

Staff training records must be maintained and signed by the trainee.

### **Age Checks**

The local recognised age verification scheme that is supported by staff training must be implemented. Staff training and refusals records must be maintained and signage prominently displayed.

A policy should be in place to ensure that identity and age checks are undertaken and authenticated on all employees, voluntary workers, self-employees, performers and a legible record of authenticating documentation, including photo identification, must be maintained.

### **Literature and Signposting**

Holders of sex establishment licences must display and make available, without charge, literature on matters relating to:

- information about local health services as may be supplied to them by relevant local bodies;
- mental health;
- sexual health;
- substance misuse;
- financial management and debt;
- safeguarding concerns; and
- sexual or domestic abuse services.

This information should be made available to patrons, employees and performers, for example, leaflets/posters in toilets

Licence holders must have health and safety policy measures in place that reduce the risk of violence to staff.

Posters making unequivocal statements about consent and what patrons must do in order to obtain consent

**Comment [AB24]:** Given that 2 rapes have been reported, resulting in charges and one in a conviction, at La Chambre, there must be clear signs about what constitutes consent. SRASAC is best placed to deal with this and they should be remunerated for this work

## Part 8 - ENFORCEMENT

Licensing Service Principles of Enforcement:

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

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

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

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

### Better Regulation Delivery Office: Regulators' Code 2014

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

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

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

### Complaints

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

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

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

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

#### **Data Sharing**

Subject to the provisions of the Data Protection Act 2018 [and the General Data Protection Regulation \(EU\) 2016/679 \(GDPR\)](#), 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 9 - 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.

## Part 10 - Definitions

**“the Act”**

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

**“the Council”**

means Sheffield City Council.

**“the Policy”**

refers to the Sheffield City Council Sex Establishment Policy.

**“sex establishment”**

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

**“relevant locality”**

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

**“character of the relevant locality”**

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

**“the premises”**

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

**“sex cinema”**

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

**“sex shop”**

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

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

**“sex articles”**

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

**“sexual entertainment venue”**

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

**“relevant entertainment”**

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

### Checklist for Regulatory & Welfare Visits to Sex Establishments

This checklist has been developed by Public Health, Safeguarding and Licensing to provide assurance about the health, safety, and welfare of staff and customers in licensed sexual entertainment venues.

The checklist can be completed by venue management and/or staff representatives as a self-assessment to identify areas where improvements could be made to increase the health, safety, and welfare of staff.

It may be used by partners offering welfare visits into venues such as South Yorkshire Police and Sheffield sexual health services.

The checklist does not provide a “quality mark” or endorsement of your premises.

Sheffield City Council would welcome feedback on the checklist: [DPHOffice@sheffield.gov.uk](mailto:DPHOffice@sheffield.gov.uk)

<b><u>Name of person completing checklist:</u></b>				
<b><u>Organisation of person completing checklist:</u></b>				
<b><u>Venue Self-assessment? (+/√)</u></b>				
<b><u>Date of visit:</u></b>				
<b><u>Time of visit:</u></b>				
<b><u>Venue name:</u></b>				
<b><u>Venue manager:</u></b>				
	<b><u>Not evidenced (+/√)</u></b>	<b><u>Partially evidenced (+/√)</u></b>	<b><u>Evidenced (+/√)</u></b>	<b><u>Comments</u></b>
<b><u>Age verification (ID)</u></b>				
<u>Staff records include 2 forms of ID for age verification, one photo ID passport or driving license, one with current address e.g. driving license, utility bill to be kept on file for 12 months confidentially and securely.</u>				
<u>Customer age verification is taken at the door using photo ID</u>				
<u>Customer membership includes 2 forms of ID for age verification, one photo ID passport or driving license, one with current address e.g. driving license, utility bill to be kept confidentially and securely for the period of membership.</u>				
<b><u>Staff notice boards</u></b>				
<u>Welfare information is displayed in staff areas (e.g. sexual health, sexual violence/abuse, mental health, drug and alcohol use, debt, immigration, domestic abuse)</u>				
<u>Under 25s – welfare information regarding young people, including college and university welfare services, is displayed in staff areas.</u>				
<u>In-reach visit times/dates from welfare organisations are visually displayed (including on staff timetables so that staff can attend) e.g. Sexual Health STI testing</u>				
<u>Dancers info and UK Network of Sex Work Projects information is displayed in staff areas</u>				

<a href="http://www.dancersinfo.co.uk">http://www.dancersinfo.co.uk</a> <a href="https://uknswp.org/um/safety/">https://uknswp.org/um/safety/</a>				
Trade Union and/or peer support information is available in staff areas.				
Occupational health contact information is displayed in staff areas.				
Venue welfare and/or safeguarding contact person information is displayed in staff/customer areas.				
Information is displayed regarding complaints of abusive staff/customers and how these will be managed/contact person.				
Information – names, description, photographs – of barred/banned or otherwise risky customers (“Ugly Mugs”) from the local area is displayed in staff areas.				
<b>Staff changing areas</b>				
Staff changing areas are adequately heated and ventilated.				
Staff changing areas are of adequate size for the number of staff.				
Staff changing areas have locked storage (e.g. lockers) for staff personal belongings.				
Staff changing areas are smokefree.				
Staff changing areas have access to free drinking water and facilities to make hot, cold drinks and prepare basic snacks.				
Staff changing areas are private with no customer access e.g. doorcode key pad.				
Stocked First aid kits (including plasters) are available in staff areas.				
<b>Staff health, safety and welfare</b>				
Private or more secluded areas of the premises have appropriate measures in place for protection of staff/customers e.g. line of sight from venue management, panic buttons, mirrors, CCTV.				
Staff/customer toilets have condom machines in working order				
The venue participates in condom distribution scheme and condoms are visible and accessible to staff and customers				
Sexual health exit-testing kits are available to staff and customers				
Licensed taxi firm numbers displayed for staff transport in late evening.				
Employee records include emergency contact information and health needs/medication				
Staff sign in/sign out is in operation for safety of staff				
A code of conduct for expectations of customer behaviour towards staff is clearly displayed in staff and customer areas.				
Venues have policy and procedures for safeguarding vulnerable adults (staff and customers)				
Receipts are provided for house fees and fines.				

**Comment [AB25]:** This implies that this is a venue which is facilitating and even encouraging sexual contact, whilst this is appropriate in La Chambre, it is conveying the wrong message in strip clubs

**From:** [Not Buying It](#)  
**To:** [licensing-service](#)  
**Cc:** [Sheffield Not Buying it](#)  
**Subject:** Additional Comments to Draft SEV Policy  
**Date:** 24 February 2020 13:33:46

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Dear Licensing

I had no internet yesterday and part of today but please accept these comments below as important considerations for your new SEV policy

Thank you

Sasha

Dr Sasha Rakoff  
CEO Not Buying It

[no@notbuyingit.org.uk](mailto:no@notbuyingit.org.uk)  
[www.notbuyingit.org.uk](http://www.notbuyingit.org.uk)

**Objections/Support Statements for Hearings:**

Given the leakage of 700 emails, including those of rape victims, it is imperative that a much better system is in place that guarantees such information cannot be leaked again.

Please use an online system for people to make objections/support statements for SEVs - where emails/addresses are given separately from the body of the objection (or any attached objection). Communications to objectors/supporters should then be made via the online system and not via 'BCCing' - which can very easily become CCing by mistake, which is the simple error that occurred previously. This is likely to occur again, given the stress and sheer volume of activity around SEV licensing.

By keeping names, emails and postal addresses separate from the objection itself, it should also be easier to all such identifying information as these should only (occasionally) be in objections made as attachments. A considerable number of personal details (names/addresses) were not fully redacted in the report pack for Spearmint Rhino's last licensing hearing.

**Undercover Checks Imperative at Strip Clubs**

There must be undercover visits by expert, independent trained professionals, with expertise in visiting strip clubs without being detected (hired by the council not the club - but the money for this to come from the license fee!)? Visits must be random and neither council nor club may know when they are taking place

All council visits, even unannounced are meaningless - here and elsewhere across the UK. Camden has brothels operating under its nose even though licensing team and police rush inside to do an inspection in an attempt to detect sexual contact the minute they arrive. Undercover visits in Manchester also revealed excessive sexual contact - never seen on Council visits and so on.

## **‘Dancer Wellbeing’ by those who stand against Dancer Wellbeing**

We have severe reservations over the adequacy of 'dancer safety and well being' currently suggested, and linked to, by the Council. This comes from advocates of the industry who for the last 10 years have deemed Camden, Manchester, Birmingham, Bristol, Durham and Cornwall as 'gold standard' in terms of regulation and dancer safety. However there is a long history of abuse, assaults, GBH, drug dealing, sexual contact, pimping and financial fraud at clubs in these locations. The situation in Cornwall was so bad it was dubbed the West's 'Magaluf'.

More information here: [www.notbuyingit.org.uk/Publications#Press](http://www.notbuyingit.org.uk/Publications#Press)  
and here: <https://youtu.be/YON699g-hjw>

Products from such advocates cannot be seen as a meaningful source of reliable information for dancer safety and welfare. We would suggest it is likely to actually be contrary to dancer well being.

Likewise the 'dedicated' Trade Union referred to in this draft does not appear to have dancers' welfare genuinely at heart as it lobbies vociferously for even the most abusive clubs to remain open (Spearmint Rhino, Sheffield; Sophisticats, Camden - with 13 counts of credit card fraud in one year alone - and the Secrets chain - with a decade long history of credit card fraud, sexual contact and GBH, including against lap dancers).

More information here: [www.notbuyingit.org.uk/Publications#Press](http://www.notbuyingit.org.uk/Publications#Press)

It has also publicly defamed Not Buying It, making multiple false statements and allegations about us and what we exposed at Sheffield Spearmint Rhino. This doesn't simply undermine the NGOs that actually speak truth to the industry this serves to intimidate, censor and threaten ANYONE who might speak out against the industry. This in itself is wholly counter to dancer welfare - making it even harder for women harmed by the industry to speak out against it (an almost impossible feat of bravery already).

**The council must commission an independent NGO/front line service provider (that is *not* advocating for the industry and that is speaking to women who whistleblow and expose the industry) to create independent, meaningful dancer safety procedures**

### **Training**

Council staff and Councillors on the SEV subcommittee urgently need to receive ongoing training by experts who expose the truth of the industry and women from the industry who whistle blow on it and their advocates, rather than industry advocates/academics and even legal advisors - all with a clearly highly vested interest to promote the industry and/or little genuine understanding of the industry.

### **Lap Dancer Exit Programme**

We cannot stress enough how imperative this is. Rotherham is now working towards this. Camden already has a lap dancer forum in place and we have heard Tower Hamlets is working towards a dedicated exit programme. Given the generation of young women who have been abused in Sheffield's strip industry (this amounts to 1,000s of individuals), many then going on to full blown prostitution because of lap dancing, there is an urgent need to support all women out who wish to leave - or whenever a strip club is shut.

We urge the cost for this to be added to any license fee.

**Wider Sex Industry and harm of lap dancing**

This draft must acknowledge the evidence that lap dancing is an entry point into prostitution and the steps that are going to be taken by the Council to attempt to address this.

Evidence of this and the harm of lap dancing itself has already been provided through testimonies from women who have exited your strip club and via Not Buying It Sheffield's objections.

Please also see research evidence here: [www.notbuyingit.org.uk/Publications#Research](http://www.notbuyingit.org.uk/Publications#Research)

and testimonies from numerous women who have whistle blown on the industry here: [www.notbuyingit.org.uk/Publications#Performers](http://www.notbuyingit.org.uk/Publications#Performers)

Sheffield Feminist Network response to consultation on Sex Establishment Policy 2020

SFN is an umbrella group of organisations campaigning for equality and women's rights. Every effort has been made to include perspectives from previous consultations, campaigns and submissions in this response from the active members of the coordinating group. It reflects the reality that the majority of concerns over the past few years raised about Sex Establishments relate to so called Sexual Entertainment Venues in the city, both those in respect of which licence applications have not been pursued successfully (Villa Mercedes ) those currently in existence and any future applications.

SFN notes that "La Chambre" is designated as a Sexual Entertainment Venue (SEV) but has previously argued that the club has not been the focus of concern in previous submissions because the operation of "La Chambre" does not rely explicitly on "consent" to sexual activity being mediated through a financial transaction as in other, lap dancing establishments.

Recent rape allegations at "La Chambre" do raise new question about circumstances in which a SEV licence might be withdrawn temporarily or otherwise and how that would be investigated/regulated by SCC.

We make the general point that including a range of sexual establishments in a single policy may not be helpful.

SFNs response is based on a clear position about SEV's; that they have no place in Sheffield. We note and welcome the council proposal for there being nil Sex Establishments in the city. We suggest that the same principles that inform the proposal to set a no cap in the city centre should apply to all areas of the city.

We do not understand the rationale for the rebuttal presumption (which applies to new applications) which doesn't apply to existing clubs when there is a licensing renewal though are reassured about the insight that this appears to provide about SCC aspirations for reducing the number of sex establishments.

The council proposes that there should be no such establishments in the city but doesn't explain the existence of one establishment currently in the city (and in respect of which opportunities to decline re licensing). This seems irrational. Case law demonstrates that existing licence holders cannot be treated differently from new SEV applicants. Licensing regulations require that a fresh eye should be cast on renewal at every renewal point. In this context SFN asks the council to note the outrage at the decision of the licensing committee 2019 re Spearmint Rhino in the face of evidence about breaches and threshold for meeting discretionary grounds/ licence refusal being clearly met.

SFN recognises and is grateful that the consultation document implicitly recognises that potential harm accrues from sex establishments and has also committed to a wider public safety principle. However, since no information about the EIA has been provided it is difficult to be a critical friend and assess the extent to which wider public interest and harmful impacts of Sex Establishments have been properly considered, or might be considered determined in future.

The consultation document states that the EIA has informed the development of the policy to mitigate outcomes considered to be potentially harmful. Consultees are disadvantaged by not having access to the EIA and not having information about outcomes which are currently considered to be harmful.

We have been concerned that previous policy consultation documents have put a spin on the value of the Sex Establishment

sector to the city. We are, therefore, pleased, that Part I ( Introduction) refers in factual language to the councils obligation in law to regulate and license without putting a positive gloss - previously asserted without any evidence to substantiate that gloss - on what they bring to the city (deleted first two paragraphs Par. 1 Introduction).

In the overview section we note reference to the promotion of high management standards, public safety and safeguarding those who work in/ use sex establishments including as vulnerable adults working/ in using the establishment, or in the locality. The draft reasserts Crime and Disorder Act Obligations to prevent crime and disorder (part 4). It is disappointing that there is no explicit expectation here of promoting public safety particularly in taking account the potential distal consequences of sex establishments (promoting inequality and distorted attitudes for example).

A glaring omission in the context of safeguarding is the lack of mention of young people in the locality of Sex establishments. In the case of a city centre SEV there is ample evidence of establishments in the locality providing support, education and training to young people which appear to have been ignored in the granting of 2019 licence and now a project for young women victims of sexual exploitation which operates in walking distance of one SEV.

We are not sure why the draft includes reference to the council not taking a moral stance in adopting this policy and ask that this be justified. Ideally it should be deleted as it is not necessary. If the council is applying law and policy and case precedent it will act rationally. The issue of morality has been “weaponised” in previous debates and submissions with detriment to informed, research evidenced arguments, usually made by objectors. The council has a responsibility to take note of community values and views and judicial view has found that SCC was wrong to dismiss concerns

about the objectification of women as moral arguments, though these are central to safety and well - being arguments.

Many members of Sheffield Feminist Network have attended licencing hearings which have been fraught and difficult. We welcome clarity of the procedural issues outlined at Section 5 but make the following specific recommendations for the future (These do not exclude suggestions made by other contributors)

- That there should be appropriate training for all licensing decision makers/ committee members,
- Training should include basic understanding of law and precedent, relevant knowledge base and understanding issues such as trauma,
- A code of conduct for all participants,
- A greater degree of scrutiny of the applicant claims and information presented (it might be argued that there should henceforth be higher level of scrutiny of the veracity and reliability) and that must be enabled by judicious questioning and probing by panel members,
- That the conduct of Panel members must be even handed and of the highest standard (We are aware for example of a councillor appearing to fall asleep during proceedings and not being challenged),
- Hearings must continue to be public and all objectors need to be invited,
- It is for those managing the hearings to enable participation of all who want to contribute. This must include respectful behaviour, for example the avoidance of the interruption and hectoring of a vulnerable witness, the misnaming of key objectors. Professionals involved must be respectful -at a licensing hearing in 2019 a lawyer was noted to drop his file and make a fuss and noise while a key objector was outlining

her case. In other similar situations it is likely that a presiding official would have intervened,

- There should be clarity and equitability about the admissibility of late documents.

This is important as Home Office Guidance 2010 is clear about the implications of recent legislation highlight the importance of local people having a greater say in these matters.

In relation to Part 6 (Policy in Relation to Discretionary Grounds) we are concerned that only a basic Disclosure Certificate is being requested. Given the public interest and Safeguarding issues which are highlighted in this draft it would not be unreasonable to have a higher level of check. As we understand, at a basic level check an organisation would not receive information about matters of concern which had not resulted in conviction (this might be a particular issue in relation to domestic and sexual abuse/ harassment which are both under reported and less likely to result in convictions.) It would not receive information about current sensitive investigations or soft information/intelligence.

This raises a wider question about the route by which a DBS is processed by an applicant (the draft policy states that a DBS certificate should accompany the application). From a broader safeguarding/risk management perspective SFN would like to be clear about who (i.e which *responsible* and *independent* body) processes the DBS Application and who is doing risk assessments of information that may emerge from that process. All find it astonishing that it is stated that it is *unlikely* that the highlighted offences will *not* result in automatic debarment from having a licence and welcome explanation of in what circumstances and what criteria would apply if debarment would not take place.

In this section (Reports of Unsuitability of Licence Holders) experience during 2019 suggests that the process did not respond in

a timely manner to reports of breach of licence requirements which both directly and indirectly were causing harm to women. What would SCC now accept as evidence of harm on which it would act and what is the procedure for dealing with those concerns? And given that those raising concerns previously were told that there is no mechanism for temporarily closing down a venue around a period of investigation how could those safety issues be better managed?

Section 7 refers to safeguarding. We understand that there is an individual submission in relation to specific safeguarding queries. SFN welcomes any opportunity to raise awareness of the fact that safeguarding is everyone's responsibility but there is a paradox here, particularly in relation to the safeguarding of vulnerable adults.

Many women involved in sex establishments, particularly women working in SEVS with insecure contracts will, for a variety of other reasons, meet the legal criteria for being identified as a vulnerable adult. These may be student care leavers still entitled to statutory support under relevant childrens legislation, women with addiction problems, women otherwise survivors of sexual abuse or exploitation. Live testimony at recent hearings and wide research which is easily available will support that picture.

Legislation enshrines the right of those who are vulnerable to exercise choice make (even unwise) decisions about what they do, providing that they have capacity. But decision making and choice for those women are fraught with caveats and Hobsons choices. There is nothing in this document to suggest that those complexities have been addressed anywhere or that the environments and conduct which takes place in SEV establishments may be both source and reinforcer of harm to very specific women.

Our sense is that the council is tacitly acknowledging the toxicity and impact on women. There is an ethical issue here about having a

framework in which we pretend that we can mitigate the effects of the thing that is causing further trauma whilst the thing that is causing aggravating trauma keeps happening. SFN has no answer to that in the context of regulation which is an obligation whilst such places exist. Regulation might raise awareness and help some. But it should not be part of SCC work to effectively collude long term with adaptation to behaviour, work, circumstances which are harmful.

We note the policy refers to providing advice but nowhere is there reference to information about alternative choices other than sex work. So, there must be a balance of information for example, information about exit networks and support for women and from organisations with a range of critical views about the sex work industry. There must be a secure and accessible whistleblowing process. This is not even hinted at in your draft standards.

Given the national research about inspections which have exposed wide criminality and breaches we are not confident that an inspection framework will be effective but suggest there should be a framework of visits unannounced 6 times yearly unannounced.

APPENDIX D  
Draft Policy for Consultation

# Draft Sex Establishment Policy

## Incorporating Sexual Entertainment Venues, Sex Shops and Sex Cinemas

### Licensing Service

#### Document Control

Version	Date	Comments
V.01	5/4/19	DOCUMENT SENT FOR CONSULTATION
<u>V.02</u>	<u>5/11/19</u>	<u>Updates following end of consultation</u>
<u>V.03</u>	<u>17/02/2020</u>	<u>Inclusion of categories &amp; update to sex shop numbers</u>
<u>V.04</u>	<u>24/02/2020</u>	<u>Updates following end of consultation – Stage 2</u>

<b>Part 1 -</b>	<b>Introduction</b>	#
<b>Part 2 -</b>	<b>Overview</b>	#
<b>Part 3</b>	<b>Categorisation of Sex Establishments</b>	#
<b>Part 4 -</b>	<b>Consultation on this Policy</b>	#
<b>Part 5-</b>	<b>Integration with other Statutes</b>	#
	Equality Act 2010	#
	Human Rights Act 1998	#
	Provision of Services Regulations 2009	#
	Crime & Disorder Act 1998	#
<b>Part 6 -</b>	<b>The process of applying for a Licence</b>	#
	Making an Application	#
	Objecting to Applications	#
	Determination of Applications	#
	Mandatory grounds for refusal	#
	Discretionary grounds for refusal	#
	Appeals	#
<b>Part 7 -</b>	<b><u>POLICY IN RELATION TO DISCRETIONARY GROUNDS</u></b>	#
	<b>Discretionary Grounds a &amp; b:</b>	#
	Suitability of the Applicant, Manager & Beneficiary Policy	#
	<b>Discretionary Ground c:</b>	#
	Number of Sex Establishments	#
	<b>Discretionary Ground d:</b>	#
	Location	#
	<b>Conditions</b>	#
	<b>Representations</b>	#
	<b>Waivers</b>	#
<b>Part 8 -</b>	<b><u>POLICY IN RELATION TO SAFEGUARDING</u></b>	#
<b>Part 9 -</b>	<b>Enforcement</b>	#
	Better Regulation Delivery Office: Regulators' Code 2014	#
	Complaints	#
	Data Sharing	#
<b>Part 9 -</b>	<b>Parallel Consent Schemes</b>	#
	The Licensing Act 2003 (the 2003 Act)	#
	Planning and Building Regulation Control	#
<b>Part 10 -</b>	<b>Definitions</b>	#
<b><u>Appendix A</u></b>	<b><u>Checklist for Regulatory &amp; Welfare Visits to Sex Establishments</u></b>	

## 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 the 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 Council's Sex Establishment Policy ("the Policy") sets out the 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 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~~ adults working in the establishments, visiting as customers or in the locality of sex establishments.

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~~ The Council will ~~be given~~ adhere 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 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.~~ and it is the Council's role as the Licensing Authority to regulate such premises in accordance with the law.

## Part 3 – CATEGORISATION OF SEX ESTABLISHMENTS

### Categorisation of sex establishments

“**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 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.

“**Sexual entertainment venue**” is defined as “any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.”

“Relevant entertainment” means any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means). An audience can consist of just one person (e.g. where the entertainment takes place in private booths).

This definition would apply to the following forms of entertainment [as they are commonly known]: 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.

For the purpose of fees and conditions, this policy categorises sexual entertainment venues as follows:

- **Performance Establishments:**

Open to the general public, subject to an entry fee, these venues will likely exhibit the following forms of entertainment:

- Lap dancing
  - Pole dancing
  - Table dancing
  - Strip shows
  - Peep shows
  - Live sex shows
- } This list is not exhaustive.

The licence holder and performer will benefit financially.

- **Members Clubs**

Open only to private members that have applied and been accepted as members subject to a charge, these venues will likely involve a person paying an admission fee to enter the venue for the purpose of engaging in sexual activities with another person who has entered the venue on the same terms and who did not receive any form of payment or reward, whether directly or indirectly, for engaging in sexual activities.

The licence holder will benefit financially.

Ultimately, decisions to licence premises as sexual entertainment venues shall depend on the content of the entertainment provided and not the name it is given by the applicant.

## Part 4 – CONSULTATION ON THIS POLICY

This policy was subject to a 12 week consultation.

It is now subject to a further 4 week consultation.

## Part 5 – INTEGRATION WITH OTHER STATUTES

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

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

### Equality Act 2010

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

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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.

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.

### Equality Impact Assessment

A detailed Equality Impact Assessment (EIA [556](#)) has been undertaken and kept under review throughout the drafting of this policy, the consultation process and then finalised on publication of the attached to the policy document when it was submitted to the Licensing Committee for approval. 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.~~

The EIA considers those working in and visiting sex establishments as well as any other person that could potentially be impacted – the general public.

~~The EIA It has informed the development of the policy to mitigate outcomes considered to be potentially harmful.~~

### **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 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:

- 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). [This should detail the location of all CCTV cameras.](#)
- 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.

[Please refer to Part 7 – Policy in Relation to Safeguarding for information on resources available in designing such codes of practice, rules and welfare policies.](#)

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; and
- 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.

Each objection will be presented in full as part of the report to the licensing Sub Committee. ~~With the objector's personal details such as name, email address, address and telephone number will be removed.~~

The applicant will be informed of any objections received in respect of their application and the objection(s) will become public documents.

Any organisation, MP or councillor objecting in their capacity as such will not have their organisation's name/name redacted.

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 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.

## **Licensing Sub-Committee Application Determination Hearings**

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.

A Licensing Committee Hearing report will be prepared and will include the application papers and any and all details of objections received during the consultation period.

Information identifying objectors will be redacted from the report.

The hearing report will be circulated to all parties to the hearing as soon as practicably possible and at the latest, 21 days before the date of the hearing.

Should the applicant wish to submit evidence to the committee following receipt of the report, they must ensure it is submitted as soon as practicably possible and at the latest, 14 days before the hearing and be made available to all interested parties with any sensitive material redacted.

Following the hearing, a written determination will be sent to all parties notifying of the decision and the reasons.

## **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 IN RELATION TO DISCRETIONARY GROUNDS**

### **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 basic "Disclosure and Barring Service Disclosure Scotland" (DBS) 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, including civil orders for domestic abuse as well as convictions for violence (including domestic violence) stalking, harassment, coercive control and other offences against women that may be passed in future legislation;
- (c) sexual offences;
- (d) drugs;
- (e) public order; or
- (f) people trafficking;

~~it is unlikely that a licence will be granted~~ the licence will not 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~~ not be granted.

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.

### Reports of unsuitability of a licence holder made during the term of a licence

Where reports are received by the Licensing Authority during the term of a licence that evidence harm to women in or around sexual entertainment venues, the licence will be referred to the Licensing Sub-Committee to determine whether the licence holder, manager or beneficiary remain suitable to hold the licence.

## **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.

The Council's ~~proposes position is~~ that the appropriate number of sex establishments for the Sheffield City Centre<sup>1</sup> is nil.

~~There shall therefore be a rebuttable presumption that a~~ Any new application for any type of sex establishment licence shall be refused.

The number of licensed establishments in Sheffield at the time of writing this policy is:

<u>Sexual Entertainment Venue</u>	<u>Sex Shop</u>	<u>Sex Cinema</u>
<u>2</u>	<u>1</u>	<u>0</u>

Existing establishments are exceptions to this number, however applications for renewal receiving objections will be placed before Licensing Sub-Committee for determination.

Should any operator that currently holds a sex establishment licence, surrender their licence or have it revoked, the licence will not be replaced.

Any application will be considered on its merits at the time the application is determined by the local authority.

## **Discretionary Ground d) LOCATION**

The Act permits applications to be refused:

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

### **i) Character of the relevant locality**

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

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

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

### **ii) Use of other premises in the vicinity**

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

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

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

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

In the case of renewal applications, the fact of whether development has occurred since the premises 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:

- 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.

Management of sex establishments ~~are expected to~~ must ensure that all members of staff working in a licensed premises are fully aware of the conditions.

This should involve providing each member of staff with a copy of the conditions when they begin working for the business and providing clear and consistent training on how to comply with the conditions as well as details of the consequences and procedures for when the licence conditions are deemed to have been breached.

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

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 – POLICY IN RELATION TO SAFEGUARDING

The Council is committed to minimising the risk of harm to employees of sex establishments, vulnerable customers and members of the general public that could be impacted by such establishments.

This section provides applicants and licence holders with details of training and resources available to recognise and respond to areas of vulnerability as well as measures that are expected to be in place.

Licence holders ~~are expected to~~ must notify and make information easily available to staff and the Licensing Authority recommend the inclusion of materials and information referred to in this section in an employee induction pack at the point of recruitment.

Safeguarding visits will be made periodically to sex establishments and licence holders/managers ~~are expected to~~ must ensure records are kept up to date in order to demonstrate due diligence.

By way of assistance, a checklist has been drafted by Public Health, Safeguarding and Licensing that could form the basis on which to design/strengthen codes of practice, rules, and welfare policies (see Appendix A).

Public Health would welcome the opportunity to review drafts produced by applicants/licence holders and provide evidence-based feedback to consider. Further information is available on (see Appendix A).

### **Policies & Procedures**

Appropriate procedures should be in place and information available to allow staff to understand what to do if they have a problem at work.

Policies/procedures should be in place in relation to:

- the welfare of staff, performers and patrons (SEV only);
- code of conduct for staff and performers;
- social media policy for all staff and performers;
- the disciplinary procedure to address an employee's conduct;
- the grievance and appeal procedure to deal with a problem or complaint that an employee raises; and
- the health and safety policy measures in place that reduce the risk of violence to staff.

These should be in writing, communicated and easily available to all staff.

Records should be maintained that staff have read and understood the above.

A whistleblowing system is in place for sex establishment workers to contact the Licensing Department in confidence to report any work related matters of concern. Staff should be aware of this system and contact details of our department should be provided in the employee induction pack.

### **Support Services**

Holders of SEV licences must make information available on public health support services to workers.

An induction pack containing welfare information from a recognised body should be available to all staff.

Management of SEV's are expected to undertake a "Safeguarding & Welfare Awareness Session" provided by SWWOP (Sheffield Working Women's Opportunities Project), either on an annual basis or sooner where there has been a change to the management of the premises. There will be a charge for the training - please contact [sali@swwop.org](mailto:sali@swwop.org) for further details.

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.

SEV licence holders should consider having a trained occupational health first aider present at all times that the venue is operating. This will provide a first point of contact for workers experiencing health (including mental health) issues and can signpost to more comprehensive support services.

Information on peer to peer education resources such as 'Dancers Info' ([www.dancersinfo.co.uk](http://www.dancersinfo.co.uk)) and You My Sister ([www.youmysister.org.uk](http://www.youmysister.org.uk)) should be promoted as should dedicated Trade Union information for the industry which supports staff welfare, health and safety. For example, literature could be displayed in changing and staff rooms.

[Exit support can be accessed through You My Sister for performers wishing to exit the industry.](#)

## **Training**

The licence holder should ensure that all members of management and staff attend relevant safeguarding training as well as having access to up to date educational resources available.

Training should be designed to support management and staff (including door staff, bar staff, DJ staff and performers) to recognise and respond to vulnerability in adults who are employees, voluntary workers, self-employees, performers, or customers.

Training should include: mental health, substance misuse/addiction disorders; mental capacity, learning disabilities and unacceptable sexual behaviour.

Staff training records must be maintained and signed by the trainee.

## **Age Checks**

The local recognised age verification scheme that is supported by staff training must be implemented. Staff training and refusals records must be maintained and signage prominently displayed.

A policy should be in place to ensure that identity and age checks are undertaken and authenticated on all employees, voluntary workers, self-employees, performers and a legible record of authenticating documentation, including photo identification, must be maintained.

## **Literature and Signposting**

Holders of sex establishment licences must display and make available, without charge, literature on matters relating to:

- information about local health services as may be supplied to them by relevant local bodies;
- mental health;
- sexual health,
- substance misuse;
- financial management and debt;
- safeguarding concerns; and
- sexual or domestic abuse services.

This information should be made available to patrons, employees and performers, for example, leaflets/posters in toilets

Licence holders must have health and safety policy measures in place that reduce the risk of violence to staff.

# Part 9 - ENFORCEMENT

Licensing Service Principles of Enforcement:

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

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

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

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

## Better Regulation Delivery Office: Regulators' Code 2014

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

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

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

## Complaints

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

The Licensing Authority and South Yorkshire Police will work closely in order to ensure consistency, transparency and proportionality in their enforcement activities. They will continue to investigate complaints

and conduct proactive enforcement exercises to ensure that licences and the conditions attached to the authorisations are complied with and that unlicensed activity is dealt with as appropriate to ensure the highest standards of licensees and premises in the city of Sheffield.

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

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

### **Data Sharing**

Subject to the provisions of the Data Protection Act 2018 [and the General Data Protection Regulation \(EU\) 2016/679 \(GDPR\)](#), 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.

## Part 11 - 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 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.

**“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, among 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.

**Checklist for Regulatory & Welfare Visits  
to Sex Establishments**

This checklist has been developed by Public Health, Safeguarding and Licensing to provide assurance about the health, safety, and welfare of staff and customers in licensed sexual entertainment venues.

The checklist can be completed by venue management and/or staff representatives as a self-assessment to identify areas where improvements could be made to increase the health, safety, and welfare of staff.

It may be used by partners offering welfare visits into venues such as South Yorkshire Police and Sheffield sexual health services.

The checklist does not provide a “quality mark” or endorsement of your premises.

Sheffield City Council would welcome feedback on the checklist: [DPHOffice@sheffield.gov.uk](mailto:DPHOffice@sheffield.gov.uk)

<b><u>Name of person completing checklist:</u></b>				
<b><u>Organisation of person completing checklist:</u></b>				
<b><u>Venue Self-assessment? (+/√)</u></b>				
<b><u>Date of visit:</u></b>				
<b><u>Time of visit:</u></b>				
<b><u>Venue name:</u></b>				
<b><u>Venue manager:</u></b>				
	<b><u>Not evidenced (+/√)</u></b>	<b><u>Partially evidenced (+/√)</u></b>	<b><u>Evidenced (+/√)</u></b>	<b><u>Comments</u></b>
<b><u>Age verification (ID)</u></b>				
<u>Staff records include 2 forms of ID for age verification, one photo ID passport or driving license, one with current address e.g. driving license, utility bill to be kept on file for 12 months confidentially and securely.</u>				
<u>Customer age verification is taken at the door using photo ID</u>				
<u>Customer membership includes 2 forms of ID for age verification, one photo ID passport or driving license, one with current address e.g. driving license, utility bill to be kept confidentially and securely for the period of membership.</u>				
<b><u>Staff notice boards</u></b>				
<u>Welfare information is displayed in staff areas (e.g. sexual health, sexual violence/abuse, mental health, drug and alcohol use, debt, immigration, domestic abuse)</u>				
<u><b>Under 25s</b> – welfare information regarding young people, including college and university welfare services, is displayed in staff areas.</u>				
<u>In-reach visit times/dates from welfare organisations are visually displayed (including on staff timetables so that staff can attend) e.g. Sexual Health STI testing</u>				

<u>Dancers info and UK Network of Sex Work Projects information is displayed in staff areas <a href="http://www.dancersinfo.co.uk">http://www.dancersinfo.co.uk</a> <a href="https://uknswp.org/um/safety/">https://uknswp.org/um/safety/</a></u>				
<u>Trade Union and/or peer support information is available in staff areas.</u>				
<u>Occupational health contact information is displayed in staff areas.</u>				
<u>Venue welfare and/or safeguarding contact person information is displayed in staff/customer areas.</u>				
<u>Information is displayed regarding complaints of abusive staff/customers and how these will be managed/contact person.</u>				
<u>Information – names, description, photographs – of barred/banned or otherwise risky customers (“Ugly Mugs”) from the local area is displayed in staff areas.</u>				
<b><u>Staff changing areas</u></b>				
<u>Staff changing areas are adequately heated and ventilated.</u>				
<u>Staff changing areas are of adequate size for the number of staff.</u>				
<u>Staff changing areas have locked storage (e.g. lockers) for staff personal belongings.</u>				
<u>Staff changing areas are smokefree.</u>				
<u>Staff changing areas have access to free drinking water and facilities to make hot, cold drinks and prepare basic snacks.</u>				
<u>Staff changing areas are private with no customer access e.g. doorcode key pad.</u>				
<u>Stocked First aid kits (including plasters) are available in staff areas.</u>				
<b><u>Staff health, safety and welfare</u></b>				
<u>Private or more secluded areas of the premises have appropriate measures in place for protection of staff/customers e.g. line of sight from venue management, panic buttons, mirrors, CCTV.</u>				
<u><del>Staff/customer toilets have condom machines in working order.</del></u>				
<u><del>The venue participates in condom distribution scheme and condoms are visible and accessible to staff and customers</del></u>				
<u><del>Sexual health self-testing kits are available to staff and customers.</del></u>				
<u>Licensed taxi firm numbers displayed for staff transport in late evening.</u>				
<u>Employee records include emergency contact information and health needs/medication</u>				
<u>Staff sign in/sign out is in operation for safety of staff</u>				
<u>A code of conduct for expectations of customer behaviour towards staff is clearly displayed in staff and customer areas.</u>				
<u>Venues have policy and procedures for safeguarding vulnerable adults (staff and customers)</u>				
<u>Receipts are provided for house fees and fines.</u>				

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