

McConaghy Julianne

Subject: FW: Spearmint Rhino License

From:
Sent: 20 May 2019 09:35
To: licensingservice
Subject: Spearmint Rhino License

Dear Licensing

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

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

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

The Public Sector Equality Duty and Gender Equality

Sheffield City Council has "statutory obligations in relation to disability race and gender" (sic as the protected characteristic under the Equality Act 2010 is "sex" and not "gender") ensuring that these factors are not used to discriminate against anyone. I believe that sexual entertainment venues directly discriminate against women by normalising the sexual objectification of women which contributes to their sexualisation and objectification in other areas of society. SEVs are both cause and effect of inequality between the sexes.

The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty (PSED), including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

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

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

Kolvin continues with:

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

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

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

Not only do strip clubs appeal to a narrow sector of the community, mostly heterosexual men, they are also antithetical to fostering good relations between the sexes. In their UK study published in 2011 Sanders and Hardy [4] 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 many testimonies of former performers, including those who objected to last year's licence renewal where at the hearing, one former dancer stated "I was viewed and treated like a second-class citizen and not just in one club but in all, this made me hate men to an extreme level, they repulsed me." [5]

I am sure that I need not remind the the Council of its duty under the Equality Act's requirement to pay due regard to foster good relations between men and women.

Location

In its current policy, the Council states:

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

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

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

The Club is also in the centre of the newly designated "Knowledge Gateway".

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

There is the recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club.

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

There are a number of charities and organisations in the area which support vulnerable children and adults, many of whom will have PTSD.

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

It is directly opposite the Showroom cinema, which is "one of Europe's largest independent cinemas paired with the longest-running creative business centre in the city. Housed in a converted 1930s car showroom, we're situated right next to the railway station in Sheffield's Cultural Industries Quarter." And further states that their "beautiful Art Deco environs are an ideal setting for the innovative businesses homed at the Workstation, and a perfect place for the determinedly independent and cutting edge cinema of the Showroom." The Showroom also hosts family events as well as many off the Shelf and Doc Fest events, the latter is internationally renowned.

It is also opposite the newly refurbished Site Gallery, Sheffield's international contemporary art space, specialising in moving image, new media and performance. Spearmint Rhino is not only centrally located in terms of proximity to a number of national and international events locations but it is also a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students not only studying in the surrounding the area but also residing in it. The 24/7 Addsetts learning centre is in the vicinity with Brown Street and Cultural Industries Quarter Square as direct access routes from numerous student accommodation blocks. The Club is next to Sheffield Hallam Students Union (an iconic and a city landmark building) and backs directly onto student accommodation. Recent revelations about breaches within the club also make its location within the student community highly inappropriate.

Further grounds for refusal

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

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

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

“Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.”[6]

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

When Philip Kolvin represented residents objecting to the renewal of the strip club in Chester in 2015, it is reported that:

“Their representative Philip Kolvin QC told the meeting that 2009 legislation meant communities now had more say in where such sexual entertainment venues should be located. What Mr Grant had dubbed an 'extraordinary campaign', he called 'the working of democracy'.”

It is further reported:

“But Mr Kolvin pointed out that this year’s committee was entitled to come to an opposite conclusion to last year’s committee even where nothing had changed: ‘The courts have said that you can respond to a body of feeling in the locality, merely the fact that a number of people are concerned about this justifies refusal.’”(emphasis added) [7]

○ Please note that the licence renewal was refused. As such, the Council is fully empowered to refuse the licence, particularly in view of the widespread breaches to conditions, recently reported in the local and national press and presented to the Council in April this year.

I look forward to hearing from you.

References

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

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

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

[4] Sanders, T., & Hardy, K. (2011) ‘The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings’ Leeds: University of Leeds

[5] Sheffield Telegraph: ‘Why we want Sheffield to be a strip-club-free city’ April 5th

2019 <https://www.sheffieldtelegraph.co.uk/news/why-we-want-sheffield-to-be-a-strip-club-free-city-1-9695166>

[6] Kolvin, P op cit. p. 90

[7] Chester Live: 'Chester Platinum Lounge lap dancing club waits for licensing decision' July 18th 2015 <https://www.cheshire-live.co.uk/news/chester-cheshire-news/chester-platinum-lounge-lap-dancing-9610810>

1

----- Forwarded message -----

From: [REDACTED]

Date: 20 May 2019 08:48

Subject: Spearmint Rhino License

To:

Cc:

Hi [REDACTED]

One of our members has asked we share the below information with you all. Sheffield Spearmint Rhino's licence is up for renewal and there are a number of women's groups that oppose this.

If this would be something you're interested in supporting from a personal perspective then please read on 😊

Below is a suggested template to send to the licensing service licensing@sheffield.gov.uk

The closing date for objections is Monday 27th May.

If you wanted personalise this with anecdotal evidence or experience that would be great.

Thank you,

[REDACTED] xxx

please delete all of the above before forwarding this on

Dear Licensing

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

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

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

The Public Sector Equality Duty and Gender Equality

Sheffield City Council has "statutory obligations in relation to disability race and gender" (sic as the protected characteristic under the Equality Act 2010 is "sex" and not "gender") ensuring that these factors are not used to discriminate against anyone. I believe that sexual entertainment venues directly discriminate against women by normalising the sexual objectification of women which contributes to their sexualisation and objectification in other areas of society. SEVs are both cause and effect of inequality between the sexes.

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

areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

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

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

Kolvin continues with:

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

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

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

Not only do strip clubs appeal to a narrow sector of the community, mostly heterosexual men, they are also antithetical to fostering good relations between the sexes. In their UK study published in 2011 Sanders and Hardy [4] 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 many testimonies of former performers, including those who objected to last year's licence renewal where at the hearing, one former dancer stated "I was viewed and treated like a second-class citizen and not just in one club but in all, this made me hate men to an extreme level, they repulsed me." [5]

I am sure that I need not remind the the Council of its duty under the Equality Act's requirement to pay due regard to foster good relations between men and women.

Location

In its current policy, the Council states:

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

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

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

The Club is also in the centre of the newly designated "Knowledge Gateway".

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

There is the recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club.

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

There are a number of charities and organisations in the area which support vulnerable children and adults, many of whom will have PTSD.

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

It is directly opposite the Showroom cinema, which is “one of Europe’s largest independent cinemas paired with the longest-running creative business centre in the city. Housed in a converted 1930s car showroom, we’re situated right next to the railway station in Sheffield’s Cultural Industries Quarter.” And further states that their “beautiful Art Deco environs are an ideal setting for the innovative businesses homed at the Workstation, and a perfect place for the determinedly independent and cutting edge cinema of the Showroom.” The Showroom also hosts family events as well as many off the Shelf and Doc Fest events, the latter is internationally renowned.

It is also opposite the newly refurbished Site Gallery, Sheffield’s international contemporary art space, specialising in moving image, new media and performance. Spearmint Rhino is not only centrally located in terms of proximity to a number of national and international events locations but it is also a direct access route, for example: Doc Fest; the children’s media conference; Off the Shelf etc.

There are young students not only studying in the surrounding the area but also residing in it. The 24/7 Addsetts learning centre is in the vicinity with Brown Street and Cultural Industries Quarter Square as direct access routes from numerous student accommodation blocks. The Club is next to Sheffield Hallam Students Union (an iconic and a city landmark building) and backs directly onto student accommodation. Recent revelations about breaches within the club also make its location within the student community highly inappropriate.

Further grounds for refusal

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

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

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

“Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.”[6]

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

When Philip Kolvin represented residents objecting to the renewal of the strip club in Chester in 2015, it is reported that:

“Their representative Philip Kolvin QC told the meeting that 2009 legislation meant communities now had more say in where such sexual entertainment venues should be located. What Mr Grant had dubbed an ‘extraordinary campaign’, he called ‘the working of democracy’.”

It is further reported:

“But Mr Kolvin pointed out that this year’s committee was entitled to come to an opposite conclusion to last year’s committee even where nothing had changed: ‘The courts have said that you can respond to a body of feeling in the locality, merely the fact that a number of people are concerned about this justifies refusal.’”(emphasis added) [7]

Please note that the licence renewal was refused. As such, the Council is fully empowered to refuse the licence, particularly in view of the widespread breaches to conditions, recently reported in the local and national press and presented to the Council in April this year. I look forward to hearing from you.

References

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

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

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

[4] Sanders, T., & Hardy, K. (2011) 'The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings' Leeds: University of Leeds

[5] Sheffield Telegraph: 'Why we want Sheffield to be a strip-club-free city' April 5th

2019 <https://www.sheffieldtelegraph.co.uk/news/why-we-want-sheffield-to-be-a-strip-club-free-city-1-9695166>

[6] Kolvin, P op cit. p. 90

[7] Chester Live: 'Chester Platinum Lounge lap dancing club waits for licensing decision' July 18th 2015 <https://www.cheshire-live.co.uk/news/chester-cheshire-news/chester-platinum-lounge-lap-dancing-9610810>

1

McConaghy Julianne

Subject: FW: Objection to Re-Licensing of Spearmint Rhino Brown Street Sheffield

From:

Sent: 20 May 2019 10:52

To: licensingservice

Cc:

Subject: Objection to Re-Licensing of Spearmint Rhino Brown Street Sheffield

Objection to re - licensing of Spearmint Rhino, Brown Street, Sheffield -2019

Name

Address

Date 20 May 2019

To: Licensing Service, Block C, Staniforth Road Depot, Staniforth Road, Sheffield S9 3HD email: licensingservice@sheffield.gov.uk

Dear Madam/Sir

I am writing to object, for the fourth successive year, to the relicensing of Spearmint Rhino club in Sheffield. Strip and lap dancing clubs are a throwback to twentieth century ideas and sexual politics and are antithetical to fostering equality of opportunity and good relations between the sexes. Importantly here, they are also incompatible with the Council's legal obligation under the Public Sector Equality Duty. Furthermore, writing as one of the commissioners and now a Fairness Champion, they obstruct the implementation of the recommendations of the 2013 Sheffield Fairness Commission, approved by Council.

We felt that the Council should be there to pursue fairness as social justice, as an agent and facilitator for fairness and equality in our city. The continued presence of Spearmint Rhino in Sheffield further exasperates that aim as well as the good functioning of the Council's own Equality Hubs Network, established to support the local implementation of the Equality Act 2010. Overarching all this, a simple reading of the Council's current SEV policy cannot support any relicensing on several grounds.

Spearmint Rhino has no place in this city and its current location, is particularly problematic being next to Sheffield Hallam University student's union, opposite the Site Gallery and Showroom Cinema-both used by children and families, and near Freeman College, attended by many vulnerable young people. On grounds of location listed in the Council's SEV Policy the license can be declined. It is a hindrance to the expansion too of Sheffield Hallam University, a huge economic resource for the city, as carefully argued by representatives of that university at last year's hearing.

Additionally, the fact that the Council has been subject to two judicial reviews about its failure to consider the effects on all women of licensing strip clubs, as part of its Public Sector Equality Duty is conveniently ignored. On both occasions it has lost those reviews. Strip clubs, such as Spearmint Rhino promote a (toxic) message that it is acceptable to buy women's bodies, for sexual gratification (otherwise termed

objectification), thus treating women as sex objects. This at a time of greater awareness of the impact of such views on both women's sense of safety, their perceived role in a modern democratic society and their actual safety and no evidence that violence against women, including street harassment of women, is decreasing. That I would argue is a restriction of a greater number of women's personal liberty than those 'performers at the club. Research shows that men who hold objectifying views of women are more likely to be violent to women. In licensing Spearmint Rhino Sheffield City Council gives a confusing message about its commitment to women's safety and their equality with men. Indeed, some argue that it condones such objectification and inequality between the sexes.

Those that support this application argue that women have a right to such employment, which actually at Spearmint Rhino is self-employment under contracts that are disadvantageous to the women. Yet the clear and categorical evidence is that it is not safe employment. It is exploitative and psychologically harmful. The Council have a legislative duty to ensure that their citizens do not face potential harm in their employment. The Council act to undertake to do so in other sectors of employment in the city, yet ignore this. The impact of working in such establishments, including evidence from women who have worked in them, about sexual harassment and assault of the women performers by users and even staff suggests that this is rife. I am also aware of information from local publicity, and verbally given to full Council in April 2019, which indicates that in a number of such establishments, including Spearmint Rhino, Sheffield, there have been significant breaches of the licensing conditions which have not been picked up by the Council's own inspections. This attests that regulation of an inherently unsafe and unfair working environment is impossible. In Spearmint Rhino, Sheffield evidence of unlawful sexual activity is also under investigation. I am hopeful that this evidence will be both presented by others and thereby become admissible. I am deeply suspicious that the current review and investigation of this material is purposively being delayed until after any licensing hearing. I ask for a reassurance that it both can and will be presented, since it is entirely pertinent to the current round of licensing application made by Spearmint Rhino Sheffield.

Given all this I can see no reason for Spearmint Rhino to retain its license. As the law permits a local authority to decide not to allow any strip and lap dancing clubs (SEV's) within its area, I would urge the refusal of a further license for this club. Importantly, I urge the Licensing Committee and Council to work closely with the current self-employed 'performers' in providing support services for those who may be affected by such a decision.

Thus my objections are based upon a fair interpretation of the Council's current policy, is wholly in support of a policy of establishing equality of treatment between the sexes, and against harmful working practices based upon current legislation.

A copy of this message is attached as a MSWord document

I look forward to receiving my invitation to any hearing.

Objection to re - licensing of Spearmint Rhino, Brown Street, Sheffield -2019

Name

Address

Date 20 May 2019

To: Licensing Service, Block C, Staniforth Road Depot, Staniforth Road, Sheffield S9 3HD
email: licensing@sheffield.gov.uk

Dear Madam/Sir

I am writing to object, for the fourth successive year, to the relicensing of Spearmint Rhino club in Sheffield. Strip and lap dancing clubs are a throwback to twentieth century ideas and sexual politics and are antithetical to fostering equality of opportunity and good relations between the sexes. Importantly here, they are also incompatible with the Council's legal obligation under the Public Sector Equality Duty. Furthermore, writing as one of the commissioners and now a Fairness Champion, they obstruct the implementation of the recommendations of the 2013 Sheffield Fairness Commission, approved by Council. We felt that the Council should be there to pursue fairness as social justice, as an agent and facilitator for fairness and equality in our city. The continued presence of Spearmint Rhino in Sheffield further exasperates that aim as well as the good functioning of the Council's own Equality Hubs Network, established to support the local implementation of the Equality Act 2010. Overarching all this, a simple reading of the Council's current SEV policy cannot support any relicensing on several grounds.

Spearmint Rhino has no place in this city and its current location, is particularly problematic being next to Sheffield Hallam University student's union, opposite the Site Gallery and Showroom Cinema-both used by children and families, and near Freeman College, attended by many vulnerable young people. On grounds of location listed in the Council's SEV Policy the license can be declined. It is a hindrance to the expansion too of Sheffield Hallam University, a huge economic resource for the city, as carefully argued by representatives of that university at last year's hearing.

Additionally, the fact that the Council has been subject to two judicial reviews about its failure to consider the effects on all women of licensing strip clubs, as part of its Public Sector Equality Duty is conveniently ignored. On both occasions it has lost those reviews. Strip clubs, such as Spearmint Rhino promote a (toxic) message that it is acceptable to buy women's bodies, for sexual gratification (otherwise termed objectification), thus treating women as sex objects. This at a time of greater awareness of the impact of such views on

both women's sense of safety, their perceived role in a modern democratic society and their actual safety and no evidence that violence against women, including street harassment of women, is decreasing. That I would argue is a restriction of a greater number of women's personal liberty than those 'performers at the club. Research shows that men who hold objectifying views of women are more likely to be violent to women. In licensing Spearmint Rhino Sheffield City Council gives a confusing message about its commitment to women's safety and their equality with men. Indeed, some argue that it condones such objectification and inequality between the sexes.

Those that support this application argue that women have a right to such employment, which actually at Spearmint Rhino is self-employment under contracts that are disadvantageous to the women. Yet the clear and categorical evidence is that it is not safe employment. It is exploitative and psychologically harmful. The Council have a legislative duty to ensure that their citizens do not face potential harm in their employment. The Council act to undertake to do so in other sectors of employment in the city, yet ignore this. The impact of working in such establishments, including evidence from women who have worked in them, about sexual harassment and assault of the women performers by users and even staff suggests that this is rife. I am also aware of information from local publicity, and verbally given to full Council in April 2019, which indicates that in a number of such establishments, including Spearmint Rhino, Sheffield, there have been significant breaches of the licensing conditions which have not been picked up by the Council's own inspections. This attests that regulation of an inherently unsafe and unfair working environment is impossible. In Spearmint Rhino, Sheffield evidence of unlawful sexual activity is also under investigation. I am hopeful that this evidence will be both presented by others and thereby become admissible. I am deeply suspicious that the current review and investigation of this material is purposively being delayed until after any licensing hearing. I ask for a reassurance that it both can and will be presented, since it is entirely pertinent to the current round of licensing application made by Spearmint Rhino Sheffield.

Given all this I can see no reason for Spearmint Rhino to retain its license. As the law permits a local authority to decide not to allow any strip and lap dancing clubs (SEV's) within its area, I would urge the refusal of a further license for this club. Importantly, I urge the Licensing Committee and Council to work closely with the current self-employed 'performers' in providing support services for those who may be affected by such a decision.

Thus my objections are based upon a fair interpretation of the Council's current policy, is wholly in support of a policy of establishing equality of treatment between the sexes, and against harmful working practices based upon current legislation.

I look forward to receiving my invitation to any hearing.

McConaghy Julianne

Subject: FW: OBJECTION to the license application of Spearmint Rhino, Brown Street, Sheffield.

From:**Sent:** 20 May 2019 11:23**To:** licensingservice**Subject:** OBJECTION to the license application of Spearmint Rhino, Brown Street, Sheffield.

Dear Sir/ Madam

XXXXXXXXXX XXXX XXX XXXXXXX XXXXX XXXXXXX wishes to object to the license application of Spearmint Rhino. Brown Street, Sheffield. This has been discussed by our Board of Trustees and agreed as an organisation.

As a service supporting vulnerable clients – the vast majority of whom are women who have been sexually abused, assaulted or raped, we are dismayed that a venue based on the objectification and de-humanisation of women is located within 500 yards of our Centre. Sheffield City Centre is being transformed into a modern, vibrant and safe space for everyone and Spearmint Rhino is completely at odds with the positive environment being created.

We understand that there is currently an investigation going on into serious breaches at the club. I trust that if the outcome of this investigation is that breaches did happen then the Council will not grant the license.

Notwithstanding the possible breaches that may have happened, the strip club business is based on the sexualisation and objectification of women, seeing women as a financial commodity and creating a place where men do not have to consider the thoughts, feelings or consent of women, but can simply buy whatever they want from them. Licensing Spearmint Rhino not only encourages these behaviours in men, but legitimises them. Licensing Spearmint Rhino is therefore not conducive to the Council's Public Sector Equality Duty in which you have a duty to have regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between the sexes. I do not believe that the Council has ever explained how licensing Spearmint Rhino ensures that this is happening and I do not believe that it ever can.

The Council has the legal ability and right, to refuse Spearmint Rhino a license, something which the Council does not appear to understand. The legislation allows for local people to have more say in whether they want strip clubs in their areas, and yet despite the fact that more and more people object every year, these voices continue to be ignored.

For all of those reasons given above I expect the Council to refuse this license application.

McConaghy Julianne

Subject: FW: OBJECTION to Spearmint Rhino License Renewal

From:
Sent: 20 May 2019 11:48
To: licensingservice
Subject: OBJECTION to Spearmint Rhino License Renewal

Dear Sir/ Madam

I wish to object to the license application of Spearmint Rhino, Brown Street, Sheffield.

I understand that there is currently an investigation going on into serious breaches at the club. I trust that if the outcome of this investigation is that breaches did happen then the Council will not grant the license.

Notwithstanding the possible breaches that may have happened, the strip club business is based on the sexualisation and objectification of women, seeing women as a financial commodity and creating a place where men do not have to consider the thoughts, feelings or consent of women, but can simply buy whatever they want from them. Licensing Spearmint Rhino not only encourages these behaviours in men, but legitimises them. Licensing Spearmint Rhino is therefore not conducive to the Council's Public Sector Equality Duty in which you have a duty to have regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between the sexes. I do not believe that the Council has ever explained how licensing Spearmint Rhino ensures that this is happening and I do not believe that it ever can.

The Council has the legal ability and right, to refuse Spearmint Rhino a license, something which the Council does not appear to understand. The legislation allows for local people to have more say in whether they want strip clubs in their areas, and yet despite the fact that more and more people object every year, these voices continue to be ignored.

For all of those reasons given above I expect the Council to refuse this license application.

045

McConaghy Julianne

Subject: FW: Spearmint Rhino License Renewal

From:

Sent: 20 May 2019 12:44

To: licensingservice

Subject: Spearmint Rhino License Renewal

Dear Sheffield City Council,

I wish to object to the licence application of Spearmint Rhino, Brown Street, Sheffield.

I would like Sheffield to maintain and improve its reputation as a safe and respectful place to live and work, and to be a city that is known for upholding equality legislation. Clubs like Spearmint Rhino do not support a respectful view of women. Recent investigations into these sorts of premises nationally demonstrate infringement of regulations designed to protect the women performers from exploitation and harassment.

Although promoters of sexual entertainment venues like to claim that the activities are 'banter', we know that encouraging a view of women as commodities that can be purchased has an impact on how women are respected more broadly, and is a contributor to rape culture: which 'validates men as sexual pursuers' and views 'women as sexual conquests by which manhood is legitimized and women are objectified'.

I hope you will consider seriously the strong objections to the continued licensing of Spearmint Rhino and understand how much better it will be for the City's reputation to uphold it's duty under equality legislation to foster good relations between men and women.

Yours faithfully,

McConaghy Julianne

Subject: FW: Licence Opposition: Spearmint Rhino

From:

Sent: 20 May 2019 13:03

To: licensingservice

Subject: Licence Opposition: Spearmint Rhino

Dear Licensing,

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

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

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

The Public Sector Equality Duty and Gender Equality

Sheffield City Council has "statutory obligations in relation to disability race and gender" (sic as the protected characteristic under the Equality Act 2010 is "sex" and not "gender") ensuring that these factors are not used to discriminate against anyone. I believe that sexual entertainment venues directly discriminate against women by normalising the sexual objectification of women which contributes to their sexualisation and objectification in other areas of society. SEVs are both cause and effect of inequality between the sexes.

The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty (PSED), including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

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

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

Kolvin continues with:

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

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

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

Not only do strip clubs appeal to a narrow sector of the community, mostly heterosexual men, they are also antithetical to fostering good relations between the sexes. In their UK study published in 2011 Sanders and Hardy [4] 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 many testimonies of former performers, including those who objected to last year's licence renewal where at the hearing, one former dancer stated "I was viewed and treated like a second-class citizen and not just in one club but in all, this made me hate men to an extreme level, they repulsed me." [5]

I am sure that I need not remind the the Council of its duty under the Equality Act's requirement to pay due regard to foster good relations between men and women.

Location

In its current policy, the Council states:

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

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

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

The Club is also in the centre of the newly designated "Knowledge Gateway".

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

There is the recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club.

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

There are a number of charities and organisations in the area which support vulnerable children and adults, many of whom will have PTSD.

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

It is directly opposite the Showroom cinema, which is "one of Europe's largest independent cinemas paired with the longest-running creative business centre in the city. Housed in a converted 1930s car showroom, we're situated right next to the railway station in Sheffield's Cultural Industries Quarter." And further states that their "beautiful Art Deco environs are an ideal setting for the innovative businesses homed at the Workstation, and a perfect place for the determinedly independent and cutting edge cinema of the Showroom." The Showroom also hosts family events as well as many off the Shelf and Doc Fest events, the latter is internationally renowned.

It is also opposite the newly refurbished Site Gallery, Sheffield's international contemporary art space, specialising in moving image, new media and performance. Spearmint Rhino is not only centrally located in terms of proximity to a number of national and international events locations but it is also a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students not only studying in the surrounding the area but also residing in it. The 24/7 Addsetts learning centre is in the vicinity with Brown Street and Cultural Industries Quarter Square as direct access routes from numerous student accommodation blocks. The Club is next to Sheffield Hallam Students Union (an iconic and a city landmark building) and backs directly onto student accommodation. Recent revelations about breaches within the club also make its location within the student community highly inappropriate.

Further grounds for refusal

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

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

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

“Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.” [6]

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

When Philip Kolvin represented residents objecting to the renewal of the strip club in Chester in 2015, it is reported that:

“Their representative Philip Kolvin QC told the meeting that 2009 legislation meant communities now had more say in where such sexual entertainment venues should be located. What Mr Grant had dubbed an 'extraordinary campaign', he called 'the working of democracy'.”

It is further reported:

“But Mr Kolvin pointed out that this year’s committee was entitled to come to an opposite conclusion to last year’s committee even where nothing had changed: **‘The courts have said that you can respond to a body of feeling in the locality, merely the fact that a number of people are concerned about this justifies refusal.’**” (emphasis added) [7]

Please note that the licence renewal was refused. As such, the Council is fully empowered to refuse the licence, particularly in view of the widespread breaches to conditions, recently reported in the local and national press and presented to the Council in April this year.

I look forward to hearing from you.

References

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

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

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

[4] Sanders, T., & Hardy, K. (2011) ‘The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings’ Leeds: University of Leeds

[5] Sheffield Telegraph: ‘Why we want Sheffield to be a strip-club-free city’ April 5th

2019 <https://www.sheffieldtelegraph.co.uk/news/why-we-want-sheffield-to-be-a-strip-club-free-city-1-9695166>

[6] Kolvin, P op cit. p. 90

[7] Chester Live: ‘Chester Platinum Lounge lap dancing club waits for licensing decision’ July 18th 2015 <https://www.cheshire-live.co.uk/news/chester-cheshire-news/chester-platinum-lounge-lap-dancing-96108101>

Sent from my iPhone

McConaghy Julianne

Subject: FW: Objection to Spearmint Rhino License

From:
Sent: 20 May 2019 13:07
To: licensingservice
Subject: Objection to Spearmint Rhino License

Dear Licensing Committee

I wish to objection to the granting of a licence to Spearmint Rhino, Brown Street, Sheffield, on the following grounds:

I understand that there is currently an investigation going on into serious breaches at the club. I trust that if the outcome of this investigation is that breaches did happen then the Council will not grant the license.

Lap dancing clubs normalise the representation of women as sexual objects who are always sexually available. They make sexual harassment seem normal. The behaviour that takes place within the four walls of a lap dancing club would be considered harassment in any other context.

The 2016 YouGov UK poll found that:

- 85% of 16-24 year old women have faced sexual harassment in public places
- 45% have experienced unwanted sexual touching

Lap dancing clubs promote gender stereotypes and attitudes that say it is acceptable to treat women as sexual objects, rather than real people. They are linked to gender discrimination and sexual harassment in the workplace as well as the creation of no go areas in the surrounding areas which reduce women's sense of security and entitlement to public space. Highlighting these issues is not about morality, it is about ensuring that Sheffield City Council abides by its legal requirement to promote equality between women and men.

The Equality Act (2010) places every public authority under a duty that, in the exercise of its functions, have due regard to 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.

How does granting a license to Spearmint Rhino fit with this legal ability. Sheffield City Council has the authority to refuse the license and in doing so demonstrate that they are listening and responding to the people of Sheffield who strongly object to the presence of a lap dancing club in their city.

McConaghy Julianne

Subject: FW: Spearmint Rhino SEV Licence Renewal

From:
Sent: 20 May 2019 15:30
To: licensingservice
Subject: Spearmint Rhino SEV Licence Renewal

Sent from Mail for Windows 10

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

By email to: licensing@sheffield.gov.uk

20 May 2019

Dear Licensing

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

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

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

The Public Sector Equality Duty and Gender Equality

Sheffield City Council has "statutory obligations in relation to disability race and gender" (sic as the protected characteristic under the Equality Act 2010 is "sex" and not "gender") ensuring that these factors are not used to discriminate against anyone. I believe that sexual entertainment venues directly discriminate against women by normalising the sexual objectification of women which contributes to their sexualisation and objectification in other areas of society. SEVs are both cause and effect of inequality between the sexes.

The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty (PSED), including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

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

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

Kolvin continues with:

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

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

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

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

Not only do strip clubs appeal to a narrow sector of the community, mostly heterosexual men, they are also antithetical to fostering good relations between the sexes. In their UK study published in 2011 Sanders and Hardy [4] 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 many testimonies of former performers, including those who objected to last year’s licence renewal where at the hearing, one former dancer stated “I was viewed and treated like a second-class citizen and not just in one club but in all, this made me hate men to an extreme level, they repulsed me.”[5]

I am sure that I need not remind the the Council of its duty under the Equality Act’s requirement to pay due regard to foster good relations between men and women.

Location

In its current policy, the Council states:

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

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

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

The Club is also in the centre of the newly designated “Knowledge Gateway”.

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

There is the recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on [Sheaf Square](#)) directly adjacent to the club.

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

There are a number of charities and organisations in the area which support vulnerable children and adults, many of whom will have PTSD.

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

It is directly opposite the Showroom cinema, which is "one of Europe's largest independent cinemas paired with the longest-running creative business centre in the city. Housed in a converted 1930s car showroom, we're situated right next to the railway station in Sheffield's Cultural Industries Quarter." And further states that their "beautiful Art Deco environs are an ideal setting for the innovative businesses homed at the Workstation, and a perfect place for the determinedly independent and cutting edge cinema of the Showroom." The Showroom also hosts family events as well as many off the Shelf and Doc Fest events, the latter is internationally renowned.

It is also opposite the newly refurbished Site Gallery, Sheffield's international contemporary art space, specialising in moving image, new media and performance. Spearmint Rhino is not only centrally located in terms of proximity to a number of national and international events locations but it is also a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students not only studying in the surrounding the area but also residing in it. The 24/7 Addsetts learning centre is in the vicinity with Brown Street and Cultural Industries Quarter Square as direct access routes from numerous student accommodation blocks. The Club is next to Sheffield Hallam Students Union (an iconic and a city landmark building) and backs directly onto student accommodation. Recent revelations about breaches within the club also make its location within the student community highly inappropriate.

Further grounds for refusal

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

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

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

"Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license."[6]

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

When Philip Kolvin represented residents objecting to the renewal of the strip club in Chester in 2015, it is reported that:

"Their representative Philip Kolvin QC told the meeting that 2009 legislation meant communities now had more say in where such sexual entertainment venues should be located. What Mr Grant had dubbed an 'extraordinary campaign', he called 'the working of democracy'."

It is further reported:

*"But Mr Kolvin pointed out that this year's committee was entitled to come to an opposite conclusion to last year's committee even where nothing had changed: **'The courts have said that you can respond to a body of feeling in the locality, merely the fact that a number of people are concerned about this justifies refusal.'**"*
(emphasis added) [7]

Please note that the licence renewal was refused. As such, the Council is fully empowered to refuse the licence, particularly in view of the widespread breaches to conditions, recently reported in the local and national press and presented to the Council in April this year.

I look forward to hearing from you.

References

- [1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87
- [2] Patiniotis, J. & Standing, K. (2012) 'License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres' in *Criminal Justice Matters*, 88:1, 10-12.
- [3] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87
- [4] Sanders, T., & Hardy, K. (2011) 'The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings' Leeds: University of Leeds
- [5] Sheffield Telegraph: 'Why we want Sheffield to be a strip-club-free city' April 5th 2019
<https://www.sheffieldtelegraph.co.uk/news/why-we-want-sheffield-to-be-a-strip-club-free-city-1-9695166>
- [6] Kolvin, P op cit. p. 90
- [7] Chester Live: 'Chester Platinum Lounge lap dancing club waits for licensing decision' July 18th 2015 <https://www.cheshire-live.co.uk/news/chester-cheshire-news/chester-platinum-lounge-lap-dancing-9610810>

McConaghy Julianne

Subject: FW: Spearmint Rhino, Brown Street, Sheffield

From:

Sent: 20 May 2019 21:36

To: licensingservice

Subject: Spearmint Rhino, Brown Street, Sheffield

To Licensing Service

I wish to object to the license application of Spearmint Rhino, Brown Street, Sheffield.

I understand that there is currently an investigation going on into serious breaches at the club. I trust that if the outcome of this investigation is that breaches did happen then the Council will not grant the license.

Notwithstanding the possible breaches that may have happened, the strip club business is based on the sexualisation and objectification of women, seeing women as a financial commodity rather than a human being and creating a place where men do not have to consider the thoughts, feelings or consent of women, but can simply buy whatever they want from them. Licensing Spearmint Rhino not only encourages these behaviours in men, but legitimises them. Licensing Spearmint Rhino is therefore not conducive to the Council's Public Sector Equality Duty in which you have a duty to have regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between the sexes. I do not believe that the Council has ever explained how licensing Spearmint Rhino ensures that this is happening and I do not believe that it ever can.

The Council has the legal ability and right, to refuse Spearmint Rhino a license, something which the Council does not appear to understand. The legislation allows for local people to have more say in whether they want strip clubs in their areas, and yet despite the fact that more and more people object every year, these voices continue to be ignored.

For all of those reasons given above I urge the Council to refuse this license application and rather be an advocate for the removal of such institutions which not only harm society but exploit women and drive behaviour which has no benefit.

I trust that you will seriously consider the request and adhere to the commitment and social responsibility that Sheffield City Council makes to its residents.

Many thanks

McConaghy Julianne

Subject: FW: Objection to the re-licencing of Spearmint Rhino

From:

Sent: 21 May 2019 06:55

To: licensingservice

Subject: Objection to the re-licencing of Spearmint Rhino

I object to this license on the grounds of:

UNSUITABLE LOCATION:

The location has always been unsuitable even according to your own policy, it is also on a University campus. Refusing to relicense a strip club on the grounds of locality CANNOT be legally challenged.

UNFIT LICENSE HOLDER / PREVENTION OF CRIME and DISORDER / BREACH OF EQUALITY LAW:

Independent investigation has shown extreme levels of sexual contact and sex acts at this club, despite numerous regulatory measures. Sexual contact was also shown at the flagship Spearmint Rhino in Camden - despite 63 CCTV cameras.

The Rhino chain has a 20 year history of prostitution, drugs, drink spiking and pimps under different managers and CEOs. A new manager or more cameras clearly is not going to make any difference in Sheffield. The license holder is unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

If you license this club you will be knowingly licensing a venue which will breach its licensing conditions and be putting women at risk.

McConaghy Julianne

Subject: FW: Strip Club - Spearmint Rhino License Application

From:

Sent: 21 May 2019 08:58

To: licensingservice

Subject: Strip Club - Spearmint Rhino License Application

Dear Sir/Madame

The proposed SEV licence for Spearmint Rhino should be refused because this causes violent and demeaning stereotypes of women to perpetuate and makes it unsafe for women in Sheffield to carry out their daily lives. For example it makes it difficult for the general public, eg families with children, young people and in particular women and girls to visit normal leisure activities in the surrounding area and travel on public transport particularly in the winter months and after dark.

There is also the problem of the women with few options, eg impoverished students, who might be funnelled down the route to working in this demeaning type of employment through desperate circumstances. It would also be likely to stoke the market for the sex trade generally in Sheffield, and could perpetuate the abuse of women due to the misogyny and objectification of women Spearmint Rhino promotes.

Get [Outlook for Android](#)

McConaghy Julianne

Subject: FW: SR Objection Letter template 2019

From:

Sent: 21 May 2019 11:42

To: licensingservice

Subject: SR Objection Letter template 2019

By email to: licensing@sheffield.gov.uk

21/05/2019

Dear Licensing Service

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

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

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

The Public Sector Equality Duty and Gender Equality

Sheffield City Council has 'statutory obligations in relation to disability race and gender' [NB: the protected characteristic under the Equality Act 2010 is 'sex' and not 'gender'], ensuring that these factors are not used to discriminate against anyone. Sexual entertainment venues directly discriminate against women by normalising the sexual objectification of women and girls, which in turn contributes to their sexualisation and objectification in other areas of society. SEVs are both a cause and an effect of inequality between the sexes.

The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty (PSED), including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

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

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

Kolvin continues with:

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

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

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

Not only do strip clubs appeal to a narrow sector of the community, overwhelmingly heterosexual men, they are also antithetical to fostering good relations between the sexes. In their UK study published in 2011 Sanders and Hardy [4] 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 many testimonies of former performers, including those who objected to last year's licence renewal where at the hearing, one former dancer stated “I was viewed and treated like a second-class citizen and not just in one club but in all... this made me hate men to an extreme level, they repulsed me.”[5]

It should not be necessary to remind the the Council of its duty under the Equality Act's requirement to pay due regard to foster good relations between men and women.

I have been made aware of information from local publicity which indicates that undercover investigations in a number of such establishments, including Spearmint Rhino Sheffield, have revealed significant breaches of the licensing conditions which have not been picked up by the councils' own inspections. This attests that regulation of an inherently unsafe and unfair working environment is impossible. **I understand that evidence of unlawful sexual activity at Spearmint Rhino Sheffield is currently under investigation.**

Location

In its current policy, the Council states:

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

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

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

The Club is also in the centre of the newly designated “Knowledge Gateway”.

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

There is the recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club.

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

There are a number of charities and organisations in the area which support vulnerable children and adults, many of whom will have PTSD.

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

It is directly opposite the Showroom cinema, which is “one of Europe’s largest independent cinemas paired with the longest-running creative business centre in the city. Housed in a converted 1930s car showroom, we’re situated right next to the railway station in Sheffield’s Cultural Industries Quarter.” And further states that their “beautiful Art Deco environs are an ideal setting for the innovative businesses homed at the Workstation, and a perfect place for the determinedly independent and cutting edge cinema of the Showroom.” The Showroom also hosts family events as well as many off the Shelf and Doc Fest events, the latter is internationally renowned.

It is also opposite the newly refurbished Site Gallery, Sheffield’s international contemporary art space, specialising in moving image, new media and performance. Spearmint Rhino is not only centrally located in terms of proximity to a number of national and international events locations but it is also a direct access route, for example: Doc Fest; the children’s media conference; Off the Shelf etc.

There are young students not only studying in the surrounding the area but also residing in it. The 24/7 Addsetts learning centre is in the vicinity with Brown Street and Cultural Industries Quarter Square as direct access routes from numerous student accommodation blocks. The Club is next to Sheffield Hallam Students Union (an iconic and a city landmark building) and backs directly onto student accommodation. Recent revelations about breaches within the club also make its location within the student community highly inappropriate.

Further grounds for refusal

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

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

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

“Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license.”[6]

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

When Philip Kolvin represented residents objecting to the renewal of the strip club in Chester in 2015, it is reported that:

“Their representative Philip Kolvin QC told the meeting that 2009 legislation meant communities now had more say in where such sexual entertainment venues should

be located. What Mr Grant had dubbed an 'extraordinary campaign', he called 'the working of democracy'."

It is further reported:

"But Mr Kolvin pointed out that this year's committee was entitled to come to an opposite conclusion to last year's committee even where nothing had changed: 'The courts have said that you can respond to a body of feeling in the locality, merely the fact that a number of people are concerned about this justifies refusal.'"
(emphasis added) [7]

Please note that the licence renewal was refused. As such, the Council is fully empowered to refuse the licence, particularly in view of the widespread breaches to conditions, recently reported in the local and national press and presented to the Council in April this year.

I look forward to hearing from you.

Yours,

References

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

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

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

[4] Sanders, T., & Hardy, K. (2011) 'The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings' Leeds: University of Leeds

[5] Sheffield Telegraph: 'Why we want Sheffield to be a strip-club-free city' April 5th 2019
<https://www.sheffieldtelegraph.co.uk/news/why-we-want-sheffield-to-be-a-strip-club-free-city-1-9695166>

[6] Kolvin, P op cit. p. 90

[7] Chester Live: 'Chester Platinum Lounge lap dancing club waits for licensing decision' July 18th 2015 <https://www.cheshire-live.co.uk/news/chester-cheshire-news/chester-platinum-lounge-lap-dancing-9610810>

McConaghy Julianne

Subject: FW: Objection to Relicense of Spearmint Rhino Strip Club

From:
Sent: 21 May 2019 11:47
To: licensingservice
Subject: Objection to Relicense of Spearmint Rhino Strip Club

I object to this license on the grounds of:

UNSUITABLE LOCATION:

The location has always been unsuitable even according to your own policy, it is also on a University campus. Refusing to relicense a strip club on the grounds of locality CANNOT be legally challenged.

UNFIT LICENSE HOLDER / PREVENTION OF CRIME and DISORDER / BREACH OF EQUALITY LAW:

Independent investigation has shown extreme levels of sexual contact and sex acts at this club, despite numerous regulatory measures. Sexual contact was also shown at the flagship Spearmint Rhino in Camden - despite 63 CCTV cameras.

The Rhino chain has a 20 year history of prostitution, drugs, drink spiking and pimps under different managers and CEOs. A new manager or more cameras clearly is not going to make any difference in Sheffield. The license holder is unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

If you license this club you will be knowingly licensing a venue which will breach its licensing conditions and be putting women at risk.

Thanks

McConaghy Julianne

Subject: FW: Spearmint Rhino

From:

Sent: 21 May 2019 12:29

To: licensingservice

Subject: Spearmint Rhino

To whom it may concern,

I am writing in opposition to the closure of Spearmint Rhino, and in support and solidarity with the workers of this establishment. I support the continued existence of Spearmint Rhino, as I believe it provides a safe, flexible and consistent workplace to women, some of whom have worked within the establishment for over 15 years. The closure would likely lead previous employees into precarious and volatile working environments, with many having to venture further afield and away from the security of their homes and families.

I vehemently regret the stress and uncertainty that this has caused the workers of Spearmint Rhino, none of whom were consulted or informed that they were being filmed, nor spoken to about the intentions of the protest group.

I believe the workers of Spearmint Rhino are those best informed to discuss their working conditions, and the safety and stability of the establishment they have chosen to work within.

Yours Sincerely,

McConaghy Julianne

Subject: FW: Objection to the re-licencing of Spearmint Rhino

From:

Sent: 21 May 2019 13:32

To: licensingservice

Subject: Objection to the re-licencing of Spearmint Rhino

I object to this license on the grounds of:

UNSUITABLE LOCATION:

The location has always been unsuitable even according to your own policy, it is also on a University campus. Refusing to relicense a strip club on the grounds of locality CANNOT be legally challenged.

UNFIT LICENSE HOLDER / PREVENTION OF CRIME and DISORDER / BREACH OF EQUALITY LAW:

Independent investigation has shown extreme levels of sexual contact and sex acts at this club, despite numerous regulatory measures. Sexual contact was also shown at the flagship Spearmint Rhino in Camden - despite 63 CCTV cameras.

The Rhino chain has a 20 year history of prostitution, drugs, drink spiking and pimps under different managers and CEOs. A new manager or more cameras clearly is not going to make any difference in Sheffield. The license holder is unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

If you license this club you will be knowingly licensing a venue which will breach its licensing conditions and be putting women at risk.

Sent from my Samsung Galaxy smartphone.

McConaghy Julianne

Subject: FW: Letter of objection

-----Original Message-----

From:

Sent: 21 May 2019 14:49

To: licensingservice

Subject: Letter of objection

Please find attached a letter of objection

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

By email to: licensing@sheffield.gov.uk

21.5.19

Dear Licensing

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

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

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

The Public Sector Equality Duty and Gender Equality

Sheffield City Council has "statutory obligations in relation to disability race and gender" (sic as the protected characteristic under the Equality Act 2010 is "sex" and not "gender") ensuring that these factors are not used to discriminate against anyone. I believe that sexual entertainment venues directly discriminate against women by normalising the sexual objectification of women which contributes to their sexualisation and objectification in other areas of society. SEVs are both cause and effect of inequality between the sexes.

The Council has a fundamental and non-delegable role to give due regard to the Public Sector Equality Duty (PSED), including tackling gender inequality. This applies notwithstanding the fact that Parliament has legislated to allow the possibility for SEVs to be licensed in specific areas – subject to the choices of the local communities. Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections.

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

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

Kolvin continues with:

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

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

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

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

Not only do strip clubs appeal to a narrow sector of the community, mostly heterosexual men, they are also antithetical to fostering good relations between the sexes. In their UK study published in 2011 Sanders and Hardy [4] 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 many testimonies of former performers, including those who objected to last year's licence renewal where at the hearing, one former dancer stated "I was viewed and treated like a second-class citizen and not just in one club but in all, this made me hate men to an extreme level, they repulsed me." [5]

I am sure that I need not remind the the Council of its duty under the Equality Act's requirement to pay due regard to foster good relations between men and women.

Location

In its current policy, the Council states:

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

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

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

The Club is also in the centre of the newly designated "Knowledge Gateway".

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

There is the recreational space (formerly known as Festival Square but now named as Cultural Industries Quarter Square on the map of the area which can be found on Sheaf Square) directly adjacent to the club.

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

There are a number of charities and organisations in the area which support vulnerable children and adults, many of whom will have PTSD.

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

It is directly opposite the Showroom cinema, which is "one of Europe's largest independent cinemas paired with the longest-running creative business centre in the city. Housed in a converted 1930s car showroom, we're situated right next to the railway station in Sheffield's Cultural Industries Quarter." And further states that their "beautiful Art Deco environs are an ideal setting for the innovative businesses homed at the Workstation, and a perfect place for the determinedly independent and cutting edge cinema of the Showroom." The Showroom also hosts family events as well as many off the Shelf and Doc Fest events, the latter is internationally renowned.

It is also opposite the newly refurbished Site Gallery, Sheffield's international contemporary art space, specialising in moving image, new media and performance. Spearmint Rhino is not only centrally located in terms of proximity to a number of national and international events locations but it is also a direct access route, for example: Doc Fest; the children's media conference; Off the Shelf etc.

There are young students not only studying in the surrounding the area but also residing in it. The 24/7 Addsetts learning centre is in the vicinity with Brown Street and Cultural Industries Quarter Square as direct access routes from numerous student accommodation blocks. The Club is next to Sheffield Hallam Students Union (an iconic and a city landmark building) and backs directly onto student accommodation. Recent revelations about breaches within the club also make its location within the student community highly inappropriate.

Further grounds for refusal

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

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

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

"Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an opportunity, if needed, to review the principle and content of the license."[6]

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

When Philip Kolvin represented residents objecting to the renewal of the strip club in Chester in 2015, it is reported that:

"Their representative Philip Kolvin QC told the meeting that 2009 legislation meant communities now had more say in where such sexual entertainment venues should be located. What Mr Grant had dubbed an 'extraordinary campaign', he called 'the working of democracy'."

It is further reported:

*"But Mr Kolvin pointed out that this year's committee was entitled to come to an opposite conclusion to last year's committee even where nothing had changed: **'The courts have said that you can respond to a body of feeling in the locality, merely the fact that a number of people are concerned about this justifies refusal.'**"*

(emphasis added) [7]

Please note that the licence renewal was refused. As such, the Council is fully empowered to refuse the licence, particularly in view of the widespread breaches to conditions, recently reported in the local and national press and presented to the Council in April this year.

I look forward to hearing from you.

References

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

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

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

[4] Sanders, T., & Hardy, K. (2011) 'The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings' Leeds: University of Leeds

[5] Sheffield Telegraph: 'Why we want Sheffield to be a strip-club-free city' April 5th 2019
<https://www.sheffieldtelegraph.co.uk/news/why-we-want-sheffield-to-be-a-strip-club-free-city-1-9695166>

[6] Kolvin, P op cit. p. 90

[7] Chester Live: 'Chester Platinum Lounge lap dancing club waits for licensing decision' July 18th 2015 <https://www.cheshire-live.co.uk/news/chester-cheshire-news/chester-platinum-lounge-lap-dancing-9610810>

McConaghy Julianne

Subject: FW: Objection to the re-licencing of Spearmint Rhino

-----Original Message-----

From:

Sent: 21 May 2019 15:18

To: licensingservice

Subject: Objection to the re-licencing of Spearmint Rhino

I object to this license on the grounds of:

UNSUITABLE LOCATION:

The location has always been unsuitable even according to your own policy, it is also on a University campus. Refusing to relicense a strip club on the grounds of locality CANNOT be legally challenged.

UNFIT LICENSE HOLDER / PREVENTION OF CRIME and DISORDER / BREACH OF EQUALITY LAW:

Independent investigation has shown extreme levels of sexual contact and sex acts at this club, despite numerous regulatory measures. Sexual contact was also shown at the flagship Spearmint Rhino in Camden - despite 63 CCTV cameras.

The Rhino chain has a 20 year history of prostitution, drugs, drink spiking and pimps under different managers and CEOs. A new manager or more cameras clearly is not going to make any difference in Sheffield. The license holder is unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

If you license this club you will be knowingly licensing a venue which will breach its licensing conditions and be putting women at risk.

McConaghy Julianne

Subject: FW: Objection to the re-licencing of Spearmint Rhino

-----Original Message-----

From:

Sent: 21 May 2019 18:52

To: licensingservice

Subject: Objection to the re-licencing of Spearmint Rhino

I object to this license on the grounds of:

UNSUITABLE LOCATION:

The location has always been unsuitable even according to your own policy, it is also on a University campus. Refusing to relicense a strip club on the grounds of locality CANNOT be legally challenged.

UNFIT LICENSE HOLDER / PREVENTION OF CRIME and DISORDER / BREACH OF EQUALITY LAW:

Independent investigation has shown extreme levels of sexual contact and sex acts at this club, despite numerous regulatory measures. Sexual contact was also shown at the flagship Spearmint Rhino in Camden - despite 63 CCTV cameras.

The Rhino chain has a 20 year history of prostitution, drugs, drink spiking and pimps under different managers and CEOs. A new manager or more cameras clearly is not going to make any difference in Sheffield. The license holder is unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

If you license this club you will be knowingly licensing a venue which will breach its licensing conditions and be putting women at risk.

Sent from my iPhone

McConaghy Julianne

Subject: FW: Objection to the re-licencing of Spearmint Rhino

From:

Sent: 21 May 2019 18:54

To: licensingservice

Subject: Objection to the re-licencing of Spearmint Rhino

I object to this license on the grounds of:

UNSUITABLE LOCATION:

The location has always been unsuitable even according to your own policy, it is also on a University campus. Refusing to relicense a strip club on the grounds of locality CANNOT be legally challenged.

UNFIT LICENSE HOLDER / PREVENTION OF CRIME and DISORDER / BREACH OF EQUALITY LAW:

Independent investigation has shown extreme levels of sexual contact and sex acts at this club, despite numerous regulatory measures. Sexual contact was also shown at the flagship Spearmint Rhino in Camden - despite 63 CCTV cameras.

The Rhino chain has a 20 year history of prostitution, drugs, drink spiking and pimps under different managers and CEOs. A new manager or more cameras clearly is not going to make any difference in Sheffield. The license holder is unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

If you license this club you will be knowingly licensing a venue which will breach its licensing conditions and be putting women at risk.

McConaghy Julianne

Subject: FW: Objection to the re-licencing of Spearmint Rhino

-----Original Message-----

From:
Sent: 21 May 2019 20:55
To: licensingservice
Subject: Objection to the re-licencing of Spearmint Rhino

I object to this license on the grounds of:

UNSUITABLE LOCATION:

The location has always been unsuitable even according to your own policy; it is also on a University campus. Refusing to relicense a strip club on the grounds of locality CANNOT be legally challenged.

UNFIT LICENSE HOLDER / PREVENTION OF CRIME and DISORDER / BREACH OF EQUALITY LAW:

Independent investigation has shown extreme levels of sexual contact and sex acts at this club, despite numerous regulatory measures. Sexual contact was also shown at the flagship Spearmint Rhino in Camden - despite 63 CCTV cameras.

The Rhino chain has a 20 year history of prostitution, drugs, drink spiking and pimps under different managers and CEOs. A new manager or more cameras clearly is not going to make any difference in Sheffield. The license holder is unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

If you license this club you will be knowingly licensing a venue which will breach its licensing conditions and be putting women at risk.

Yours faithfully,

This page is intentionally left blank