

Rhodes-Evans Emma (CEX)

Subject:

FW: Objection to Spearmint Rhino License Application

O261 P1

From: Women's Equality Sheffield [mailto: [REDACTED]]
Sent: 27 May 2019 10:14
To: licensingservice
Cc: Bower Claire
Subject: Re: Objection to Spearmint Rhino License Application

Dear Licensing,

Apologies I should have made it clear that I expect the previous email to be kept confidential and only the objection document to be published.

I would also ask that this year those who have objected and are in publicly elected positions, such as MPs or Councillors, do not have their names redacted from their objections as clearly it should be made publicly clear that these people have made an objection.

Many thanks

On Sun, 26 May 2019 at 18:55, Women's Equality Sheffield [REDACTED] wrote:

Dear Licensing Service,

Please see attached our objection to Spearmint Rhino's latest license application.
Please confirm receipt.

I look forward to hearing from you.



FINAL SR 2019 Objection.docx

Regards,

Branch Leader



Rhodes-Evans Emma (CEX)

Subject: FW: Objection to Spearmint Rhino License Application

O261 P1

From: Women's Equality Sheffield (mailto: [REDACTED])
Sent: 26 May 2019 18:55
To: licensingservice
Cc: Bower Claire
Subject: Objection to Spearmint Rhino License Application

Dear Licensing Service,

Please see attached our objection to Spearmint Rhino's latest license application.
Please confirm receipt.

I would also appreciate it if you could confirm the date of the hearing as 11th June as soon as possible, as there has been some indication from those campaigning for Spearmint Rhino that the hearing is not going ahead on this day. As in the past we have not been informed about the result of the application at the same time as the club when we were assured we would all be informed at the same time, I have a concern that yet again they are being kept more up to date than us. If the hearing is not to go ahead on this day obviously we will need to re-arrange everything, including our legal support, so I trust that the plan is still for it to happen on 11th, and that it will only be in exceptional circumstances that this will not be the case.

I also bring to your attention that there has been false information circulated by a group campaigning for the continuation of the club that they, dancers, are being threatened with the release of footage. I can assure you that this is not the case, and in fact the Women's Equality Party do not even hold a copy of either the footage or the report. We have endured other false allegations from them, which they have taken to the press, who fortunately have decided not published after being told by us that the allegations are entirely false.

I felt that it was appropriate to let you know about this.

I look forward to hearing from you.



FINAL SR 2019 Objection.docx

Regards,

Branch Leader





**OBJECTION TO APPLICATION FOR
SPEARMINT RHINO'S SEXUAL ENTERTAINMENT VENUE LICENCE 2019
From The Women's Equality Party, Sheffield Branch**

Public Sector Equality Duty

1. 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.
2. Last year the High Court overturned Sheffield City Councils 'no limit' policy on Sexual Entertainment Venues (SEVs). In its ruling the Court endorsed the principle that this duty is a central obligation. It should therefore be treated as a primary consideration in the licensing decisions about application by SEVs.
3. There are clear and measurable inequalities (following 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.
4. 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.
5. 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.
6. 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 describe domestic violence as "deeply rooted in issues of power, control and inequality."

7. Spearmint Rhino occupies a unique position in the city. It is a high profile and controversial so called 'gentleman's club', run by a global organization with seemingly unlimited resources. It is not to be compared with other venues in this region. No other business in the city promotes extreme sexual objectification of women to the same extent as Spearmint Rhino. It is the essence of the business and at the core of its glossy promotional publicity, as evidenced by photographs from the company's website and promotional twitter posts.
8. The imagery and publicity of this organisation, particularly online, promotes misogyny and sexism, and celebrates demeaning attitudes to women. The continued relicensing of its activities by Sheffield City Council runs contrary to the council's legal obligation to promote equality.
9. 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 very different. It is hard to imagine visitors to these clubs returning to their place of work without having reinforced ideas of women as submissive sex objects, who as a consequence are much more likely to be the victims of sexual harassment on the street and in the work place.
10. Spearmint Rhino's policy is for the women who work as dancers to be self-employed rather than permanent employees. They therefore have less employment protection and no contribution to their state pension. Neither are the dancers entitled to statutory sick pay or holiday pay pursuant to the Working Time Directive.
11. While no touching of the dancers is allowed, some dancers in the industry have raised concerns about the pressure to offer more than merely a dance, including intimate sexual contact, in order to 'please the punter'. A recent investigation alleged serious breaches of the licensing conditions. We understand this is being investigated by the licensing committee and clearly, if substantiated, underlines our concerns about the risks involved with granting a licence to this club.
12. The Women's Equality Party has raised concerns in previous hearings about the unequal working conditions at the club and in our 2018 submission suggested the following:

"While we object to any renewal of the SEV license, in our

submission it is of paramount importance, if the club is allowed to continue, that the dancers are provided with full contracts of employment. This will make their relationship with the club transparent and their tax affairs can be openly regularized with HMRC under the PAYE system. It will also avoid discrimination between the dancers and those employed by the club such as managers and other staff.

The very purpose of current SEV licensing is to give City Councils greater control and discretion over this problematic industry which has higher risks of exploitation. At the last hearing Spearmint Rhino's counsel informed the committee that a number of conditions could be imposed on the club to meet public concerns. In our submission this should include a direction that dancers must be put on the payroll to give them proper employment protection."

13. Spearmint Rhino has so far been resistant to bringing dancers on to the pay-roll. If they were employees, the company 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. Accounts filed with Companies House suggest that Spearmint Rhino pays minimal taxes compared with its overall turnover. The last accounts filed for Spearmint Rhino Venture (UK) Ltd as of the 31st December 2017 indicate that the company paid £19,781 from a turnover of £5,246,693.
14. In previous applications this general lack of transparency has been effectively sanctioned by the licensing committee, which has failed to engage with the real working conditions in the club
15. Sheffield City Council licensing committee has a direct responsibility to address the issues raised above when making decisions about the future of the club and a failure to do so would amount to a significant breach of its responsibilities when having regard to its Public Sector Equality Duty.

Locality and use of buildings

16. There continue to be significant changes in the character of the relevant locality known as the 'Knowledge Corridor' and the uses to which premises in the vicinity are put. When Spearmint Rhino first occupied its current location the area was significantly under-developed. That is no longer the case.
17. Spearmint Rhino have conceded that as the plans for the area develop there may need to be a reconsideration of the presence of a lap-dancing club in that locality, namely Brown Street.
18. Sheffield Hallam University has repeatedly objected to the

application to renew the SEV licence at 60 Brown Street. In the light of the University's £220m development plans for the area it would be unreasonable for the Licensing Committee to continue disregarding the views of this major city developer any longer.

Sheffield Hallam University (SHU)

19. The Master Plan for the extended development of the locality was revealed last year. The proposals are significant, ambitious and will transform not just the University but the city as well.
20. In the light of these projects the continued presence of Spearmint Rhino within the campus and close to student accommodation is untenable and wholly out of step with the combined plans of the University and the Council.

Site Gallery, Showroom and Yorkshire Arts Space

21. 60 Brown Street faces the 'Site Gallery', and is located near the 'Showroom and Workstation' and 'Yorkshire Arts Space'. These are three long established arts venues which host numerous events for people from all backgrounds including teenagers, each in substantial premises that dominate the area.
22. It is illogical to allow a club like Spearmint Rhino to operate from a location such as Brown Street, which is quiet and well away from the general night-time economy of Sheffield in the West Street and Devonshire Green area.
23. It also contradicts the Council's plans for the area which are being developed in tandem with Sheffield City Region.
24. Sheffield City Region (SCR) has referred specifically to Brown Street as falling within the 'Knowledge Corridor'.

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

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

These developments will create the setting for more than 4,000 new jobs over the next five years. The project will also aim to

address road safety issues, increase pedestrian areas and reduce the number of buses using the area, and encourage safer walking and cycling and create space for events and seating.'

25. The Council has participated in the promotion of the SCR as it seeks to encourage investment in the city, create jobs and attract new industries. The SCR views job creation in the arts and in the creative industries as an integral part of its plans. However the credibility of those ambitions, and the prospects for development and expansion, are undermined by their proximity to a Sexual Entertainment Venue.
26. Sheffield Chamber of Commerce has also promoted a number of projects on its website to develop new accommodation sites in the Cultural Industries Quarter. It should be noted that developers describe the vicinity as part of Sheffield Hallam University campus when promoting its attractions.
27. In *R (on the application of Thompson) v Oxford City Council* [2014] EWCA Civ 94 the Administrative Court upheld the decision of Oxford City Council to refuse to renew a licence. In his judgement Mr Justice Haddon-Cave said as follows:

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

Conclusion

28. There remain compelling reasons why the licensing committee should prevent Spearmint Rhino from continuing to operate at 60 Brown Street. Sheffield City Council should not be promoting lap dancing as a viable and fulfilling job opportunity for women, but should use the developments in the area and creation of jobs to ensure the women currently working in the club have alternative and better options.

Women's Equality Party
Sheffield Branch
21st May 2019

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

O262

From:
Sent: 26 May 2019 19:47
To: licensingservice
Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable with regards to current planning policy and as has been shown by recent surveys, clubs such as these lead to an increase in levels of violence and degrading treatment to all women in the locality not just the women who are subject to inhumane and degrading treatment in the clubs. As such if you grant permission to this club you leave yourself open to legal challenges regarding breaking the Equality Act 2010 which states that women have the right not to be discriminated against on the basis of their sex.

I would question how in terms of your own existing zoning planning policy you can justify placing a strip club on a University campus.

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

Subject: FW: Objection to Spearmint Rhino Licence Renewal

O263 P1

From: Sent: 26 May 2019 20:03
To: licensingservice
Subject: Objection to Spearmint Rhino Licence Renewal

Licensing Service
Block C, Staniforth Road Depot
Staniforth Road
Surrey Street
S9 3HD
By email to: licensingservice@sheffield.gov.uk

26th May 2019

Dear Licensing

Objection to Spearmint Rhino licence renewal

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

I work as a maths tutor in and around the Sheffield area. The presence of clubs such as Spearmint Rhino in our city centres sends out a message starkly contradictory to the one we should be sending to our young people.

At a time when we are encouraging more young women to enter STEM related careers permitting Spearmint Rhino to continue doing business next door to a university with an excellent record of increasing participation is shockingly inappropriate.

I believe that the Council should refuse the licence application under the Discretionary Grounds for Refusal of the current Sheffield City Council's 2018 Sex Establishment Policy ("the Policy") on the following grounds:

Discretionary Ground d)

i) Character of the relevant locality

(a) the fact that the premises are sited in a residential area;

The club backs onto student accommodation and the area is increasingly becoming more residential for students and non-students alike.

The city centre's residential population had risen from 6,000 to 30,000 over the last 10 years^[i] with further plans for more residential accommodation within the Cultural Industries Quarter (CIQ) and Knowledge Gateway. Furthermore, "the Alsop Fields development is a mix of residential apartments, studios, offices for the high-tech and creative sectors and places to eat and drink" and ". . . designed to be a destination in itself – a regeneration of part of the Cultural Industries Quarter that will be similar to the trendy parts of Manchester and London"^[ii] for which Brown Street and Paternoster Row are the main thoroughfares.

(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;

The Showroom and adjacent Work Station are frequented by families and both host events specifically for children including the world renown Children's Media Conference.

(e) the premises are sited near places and or buildings of historical/cultural interest and other tourist attractions.

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."

It is also opposite the Site Gallery which has just undergone a huge expansion. 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 aforementioned Children's Media Conference; Off the Shelf etc all of which are tourist attractions.

The club is next to Sheffield Hallam Students Union (iconic and a city landmark building).

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,

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 at the epicentre of the designated "Knowledge Gateway" and located on Sheffield Hallam University's city campus whose masterplan is to further develop the area, which includes "new buildings for the Business School and social sciences, refurbishing the Students' Union building known as The HUBS, creating a University Green [Festival/CIQ Square] and improving our current estate."⁽ⁱⁱⁱ⁾

(b) parks or other recreational areas designed for use by or for children under 18 years of age;

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) is directly adjacent to the club and the club's presence is holding back further use and development of this space into its full potential.

(c) hospitals, mental health or disability centres, substance misuse treatment centres, sexual exploitation services, sexual abuse centres or similar premises;

There are a number of charities and organisations in the area which support vulnerable children, young people and adults, one of which is situated directly behind the club. Charles Street is a direct access route from the bus stop on Arundel Gate and the car park on Arundel Street; direct access from both means that service users pass directly past the club through the unused and desolate Festival/CIQ Square.

(d) any central gateway to the city or other city landmark, historic building or tourist attraction;

See (e) under (i).

(f) predominately residential areas;

See (a) under (i)

(g) The Cultural Hub (Millennium Galleries, Tudor Square, theatres and library).

The location of the club is a de facto "cultural hub" given it is named the Cultural Industries Quarter. It is also on the direct access route to the 24/7 Addsetts learning centre from numerous student accommodation blocks in the immediate vicinity, which many will be accessing during the club's opening hours.

(iii) the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

The building, despite the removal of signage during its closed hours, is a blacked out sinister presence incongruous with its surroundings and clearly marked buildings. Removal of the signage is “a sticking plaster to a gaping wound” approach by Licensing. Regardless of whether the club’s signage is visible in the day, it is widely known what the building is. Those who are not familiar with the building’s use visiting SHU on open days and viewing properties in the vicinity during the day will be unable to make an informed decision about moving into an area with a sex establishment on the doorstep.

Furthermore, the building could be put to a different use serving a far more diverse and greater number of people thereby enriching the CIQ in a more inclusive and compatible way.

Further grounds for refusal

The Public Sector Equality Duty and Gender Equality

The Policy states under the heading “The 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. (p.5)

I believe that sex establishments such as Spearmint Rhino directly discriminate against women by normalising the sexualisation and objectification of women, and that this contributes to their sexualisation and objectification in other areas of society. A 2016 review highlights how these venues 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.”^[iv]

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 sex establishments to be licensed in specific areas – subject to the choices of the local communities.

The Policy further states that:

“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”.

Many women have voiced their concerns and fears about the presence of Spearmint Rhino in previous objections, including LGBT women and disabled women. In 2017, many examples of the negative impact of this club were given in objections, for example: one woman giving up her studio at Yorkshire Artspace and a contributory factor was the presence of the club and “running the gauntlet of men hanging around outside the club and harassing women.” (objection 12) and others have stated how the club impacts on their business at hearings and in writing.^[v]

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

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

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”^[vii].

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.”^[viii]

In addition 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.^[ix]

Lap dancing clubs also reinforce negative gender stereotypes of male insatiable sexuality and female sexual availability which are hugely damaging to both sexes and to non-binary people. The stereotypes upon which they are founded do not foster good relations between the sexes, as evidenced in 2016 by Zero Option at the Villa Mercedes hearing representation and its 2017 oral representation at the hearing^[x].

In their UK study published in 2011 Sanders and Hardy^[xi] 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 many testimonies of former performers.

The Policy states that “The Licensing Authority will also consider the following factors when deciding if an application is appropriate”:

(b) proximity to areas with high levels of crime;

On 22nd February 2018, it was reported in the Star that Arundel Gate which runs in parallel to Paternoster Row and is approximately 1-2 minutes on foot away depending on walking pace, is 10th in the top 10 areas of crime in the city and that “These offences, including assaults, robberies and sex attacks on women, were recorded between January and November 2017.”^[xii]

This image of a high-end establishment portrayed by this club goes in some way to normalising this type of venue in a very active part of the city, and as such giving the impression that Sheffield as a city condones both the sexualisation and objectification of women, which is in complete contradiction to the Council’s Equality policies. The fact that its location within Sheffield Hallam University buildings and the CIQ also conveys the message that this SEV is culturally embedded within the two and indeed integral to a higher education experience and Sheffield’s local heritage.

The Committee 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.”^[xiii]

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.

According to the BBC, the number of lap dancing clubs has fallen by a third in England^[xiv]. The same report states that “a survey conducted by YouGov in 2015 found 64% of people in Great Britain said strip clubs were a negative part of British culture.” I ask that the Committee refuse to grant the club a licence for all the reasons outlined and because Spearmint Rhino is anachronistic, it gives Sheffield and our much vaunted CIQ a negative image and may deter investors and developers. At a time when we are hoping to attract large investors and are bidding for Channel 4 to relocate in the vicinity, the Committee needs to turn down this licence application, which it is empowered to do.

I look forward to hearing from you.

References

- ^[1] Sheffield Star 16th January 2018 *Dramatic rise in the number of people living in Sheffield city centre* Available from: <https://www.thestar.co.uk/news/dramatic-rise-in-the-number-of-people-living-in-sheffield-city-centre-1-8960059>
- ^[1] Sheffield Chamber of Commerce *Sheffield's Cultural Industries Quarter expansion in £10m City Estates project* Available from: <https://www.scci.org.uk/2017/03/sheffields-cultural-industries-quarter-expansion-in-10m-city-estates-project/>
- ^[1] Sheffield Hallam University 22nd February 2018 *New campus masterplan places Hallam at the heart of the city* Available from: <http://www4.shu.ac.uk/mediacentre/new-campus-masterplan-places-hallam-heart-city>
- ^[1] 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*
- ^[1] *Zero Option oral representation at the Spearmint Rhino hearing April 2017* Available from: <https://zerooptionblog.wordpress.com/2017/04/14/zero-options-representation-at-the-spearmint-rhino-licence-renewal-hearing-11th-april-2017/#more-524>
- ^[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87
- ^[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87
- ^[1] 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.
- ^[1] 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>.
- ^[1] Slideshare available from: <https://www.slideshare.net/ZerooptionSheffield/villa-mercedes-hearing-8th-september-2016>
- ^[1] Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. Leeds: University of Leeds
- ^[1] Sheffield Star 22nd February 2018 Available from: <https://www.thestar.co.uk/news/listed-these-are-the-10-most-crime-ridden-streets-in-sheffield-1-9030246>
- ^[1] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.90
- ^[1] 23rd February 2018 Available from: <http://www.bbc.co.uk/news/uk-england-43043842>
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- ^[ii] Sheffield Star 16th January 2018 *Dramatic rise in the number of people living in Sheffield city centre* Available from: <https://www.thestar.co.uk/news/dramatic-rise-in-the-number-of-people-living-in-sheffield-city-centre-1-8960059>
- ^[iii] Sheffield Chamber of Commerce *Sheffield's Cultural Industries Quarter expansion in £10m City Estates project* Available from: <https://www.scci.org.uk/2017/03/sheffields-cultural-industries-quarter-expansion-in-10m-city-estates-project/>
- ^[iii] Sheffield Hallam University 22nd February 2018 *New campus masterplan places Hallam at the heart of the city* Available from: <http://www4.shu.ac.uk/mediacentre/new-campus-masterplan-places-hallam-heart-city>
- ^[iv] 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*
- ^[v] *Zero Option oral representation at the Spearmint Rhino hearing April 2017* Available from: <https://zerooptionblog.wordpress.com/2017/04/14/zero-options-representation-at-the-spearmint-rhino-licence-renewal-hearing-11th-april-2017/#more-524>
- ^[vi] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87
- ^[vii] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.87

- ^[viii] 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.
- ^[ix] 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>.
- ^[x] Slideshare available from: <https://www.slideshare.net/ZerooptionSheffield/villa-mercedes-hearing-8th-september-2016>
- ^[xi] Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. Leeds: University of Leeds
- ^[xii] Sheffield Star 22nd February 2018 Available from: <https://www.thestar.co.uk/news/listed-these-are-the-10-most-crime-ridden-streets-in-sheffield-1-9030246>
- ^[xiii] Kolvin, P (2010) *Sex Licensing*, The Institute of Licensing p.90
- ^[xiv] 23rd February 2018 Available from: <http://www.bbc.co.uk/news/uk-england-43043842>

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

O264

From:
Sent: 26 May 2019 20:26
To: licensingservice
Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Sent from my iPhone

Rhodes-Evans Emma (CEX)

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

O265

From:

Sent: 26 May 2019 20:29

To: licensingservice

Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicence on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Rhodes-Evans Emma (CEX)

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

O266

From:
Sent: 26 May 2019 20:30
To: licensingservice
Subject: Objection to the re-licensing of Spearmint Rhino

Dear Licensing Service

I am writing to advise that I strongly object to this licence for Spearmint Rhino.

Its location is entirely unsuitable even according to your own policy - and appalling that it's a University campus.

As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

I therefore ask that you seriously consider this case and prevent further harm being done to the community.

Regards

Rhodes-Evans Emma (CEX)

Subject: FW: Objection to SR license
Attachments: [REDACTED] SR Objection.pdf

O267 P1

From:
Sent: 26 May 2019 20:39
To: licensingservice; licensingservice
Subject: Objection to SR license

Dear colleague

Please find attached my objection letter to Spearmint Rhino License Renewal.

Thanks.

Get [Outlook for iOS](#)

[REDACTED]
Sheffield
[REDACTED]

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

By email to: licensing@sheffield.gov.uk

25th May 2019

Dear Madam/Sir

I refer to the application for a Sexual Entertainment Venue (SEV) licence by Spearmint Rhino, 60 Brown Street, Sheffield, S1 2BS. In a personal capacity I wish to make an objection to the application and ask that it is refused by members of the committee.

I am concerned to hear of widespread alleged breaches by the club of licensing conditions.

As a local resident who lives very close to the venue, I believe that the committee 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:

Location

The current policy 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;

The location of the club is now inappropriate.

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". It would be wrong for the club to continue to operate.

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. This is a place for children to play both in the day and early evenings, particularly on summer evenings. SITE Gallery frequently use the space for family friendly events, where children can be seen playing whilst the club is in operation. This is inappropriate.

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

There are a variety of organisations in the area supporting vulnerable children and adults, one of which operates directly at the rear of the club. .

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 alleged breaches within the club also make its location within the student community highly inappropriate.

In view of what I have stated and in light of the alleged widespread breaches to conditions of its license, recently reported in the local press, I trust that you will consider using all powers available to you in order to reject this application.

I look forward to hearing from you.



Rhodes-Evans Emma (CEX)

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

O268

From:
Sent: 26 May 2019 20:44
To: licensingservice
Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Sincerely

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

O269

From:
Sent: 26 May 2019 22:06
To: licensingservice
Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Sent from my iPhone

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

O270

From:
Sent: 26 May 2019 22:07
To: licensingservice
Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Sent from my iPhone

Subject: FW: Spearmint Rhino Objection

O271

From:
Sent: 26 May 2019 22:11
To: licensingservice
Subject: Spearmint Rhino Objection

26th May 2019

Licencing Services
Block C
Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD
licensing_service@sheffield.gov.uk

Dear Sir/Madam

I am writing to object to the re-licencing of Spearmint Rhino sexual entertainment venue.

Firstly, as someone who has worked with men convicted of sexual offences and violent offences against women, I am strongly of the view that poor attitudes to women is the essential risk factor underlying almost all these offences. These include attitudes of entitlement, of the objectification of women and the trivialising of consent. SIVs serve to perpetuate these myths and therefore increase the likelihood of offences being committed.

The current location is unsuitable being in very close proximity to Sheffield Hallam University, the Showroom Cinema and other cultural and family destinations. This type of outmoded 'entertainment' is an affront to the image of Sheffield the council seeks to portray as a forward thinking, safe environment where institutions are serious about promoting equality.

I understand that those in favour of the licencing suggest that the women who work at such venues will be made more unsafe as they would move to work at unlicensed premises should Spearmint Rhino be closed. However I am also aware there is strong evidence of practices contrary to the current licence have been occurring under the current arrangements and not picked up by the council's current licencing check. Therefore it is wrong to suggest that the licencing of such venues keep women safe and the negative impact of legitimising of such a venue by the council and it being placed in the city centre vastly outweighs this argument.

I ask Sheffield council to take the bold step of refusing to renew this licence in order to protect the women who currently work at Sheffield Spearmint Rhino and the wider community from sexual, physical and psychological harm.

Yours Faithfully

Rhodes-Evans Emma (CEX)

Subject: FW: Spearmint Rhino Objection
Attachments: NBIS SR 2019.docx; NBIS SR 2019 Appendix.pdf

O272 P1

From:
Sent: 26 May 2019 22:15
To: licensingservice
Subject: Spearmint Rhino Objection

Dear Licensing

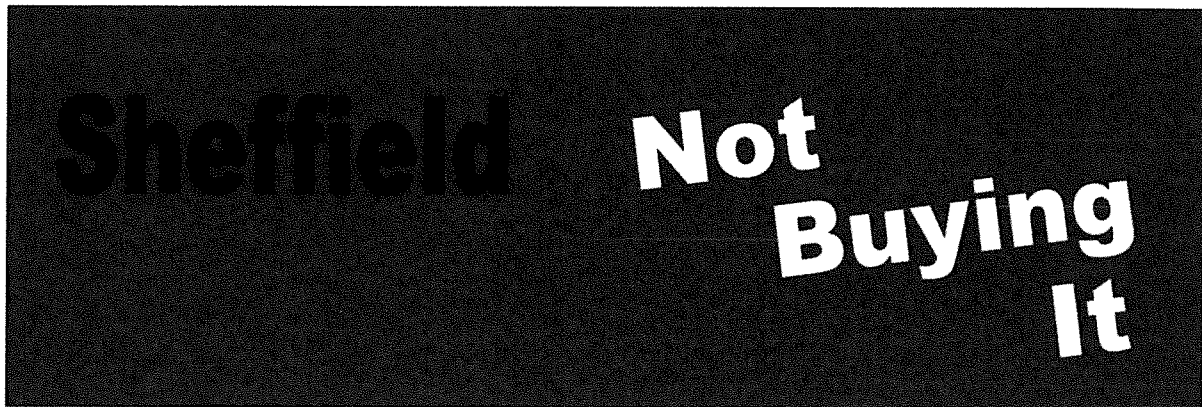
Please find attached our objection letter to Spearmint Rhino and its appendix.

Please could you confirm receipt of both documents?

Could you also please confirm when the hearing date is? We have heard via Twitter that it may be put back to September and a journalist who contacted Not Buying It had been informed of this by some of the dancers.

I do hope that security will be in place on the day of the hearing and that objectors will be able to speak without being intimidated by the club's supporters. The atmosphere is very febrile and things have been very unpleasant on Twitter.

Many thanks



25th May 2019

Dear Licensing

Objection to Spearmint Rhino Licence renewal

This objection is not about individual dancers nor is it personal. There appears to be a lot of conflation between a critique of the dancers, their choices and the industry. It goes without saying that of course we respect the women, including those who have been quite abusive towards us. There is no doubt that the feats of performing on the pole are impressive.

However, this is not about jobs and we are not aware of any other licensing situation where job losses are considered by the Sub-committee. Was there a public outcry when Randy's closed, over job losses for staff? Randy's and Spearmint Rhino are on the same continuum of the objectification of women, both promoting harmful messages which feed into a culture conducive to violence against women.

The fact that we have been called "old hags" by a female member of staff at the club somewhat proves our point that women's worth and value relies on whether or not she passes the "patriarchal fuckability test" which is precisely what *we seek to challenge*.

Women and Equalities Committee

We draw the Sub-committee's attention to this excerpt from the Women and Equalities Committee Report of October 2018 on Sexual harassment of women and girls in public places:

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.”²²⁶ (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.”**²²⁷ (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 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.²²⁸ 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.²²⁹

138. 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 including central government, the police, local authorities, bars and venues and transport agencies.

A full copy of this report has already been provided to Licensing last year.

Culture of fear

Obviously, we have no idea how many objections there will be this year but we want the Sub-committee to be aware of the following. We know from speaking to young women, especially students, how they are frightened to vocalise any views that do not align with supporting the sex industry. We know from speaking to them that they agree with objecting but are too scared to. We know from speaking to them how they do not feel safe in the presence of the club. Year on year, some women have shared these views and they have been dismissed or minimalised. The #metoo movement gave permission to a far greater number of women to speak out, but we still have a long way to go. We also know from ex-dancers how terrified they are to share their opposition to the industry. This whole issue engenders fear and it silences many many women.

Public Sector Equality Duty

The objection to Spearmint Rhino, and more broadly the industry, has in the past been argued is a moral position and therefore, not to be considered. This is about equality; equality between the sexes. 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."

As the Sub-committee is aware, it must consider the public sector equality duty (PSED) set out in section 149 of the Equality Act 2010. This means that you must have due regard to the need to:

- Eliminate discrimination against and harassment of women;
- Advance equality of opportunity for women;
- Foster good relations between women and men (including tackling prejudice and promoting understanding).

We believe that strip clubs are incompatible with these aims. They directly discriminate against women by normalising the sexual objectification of us. This contributes to our sexualisation and objectification in other areas of society and reinforces a culture where we receive unwanted male attention ranging from street harassment, to sexual harassment, sexual assault and rape.

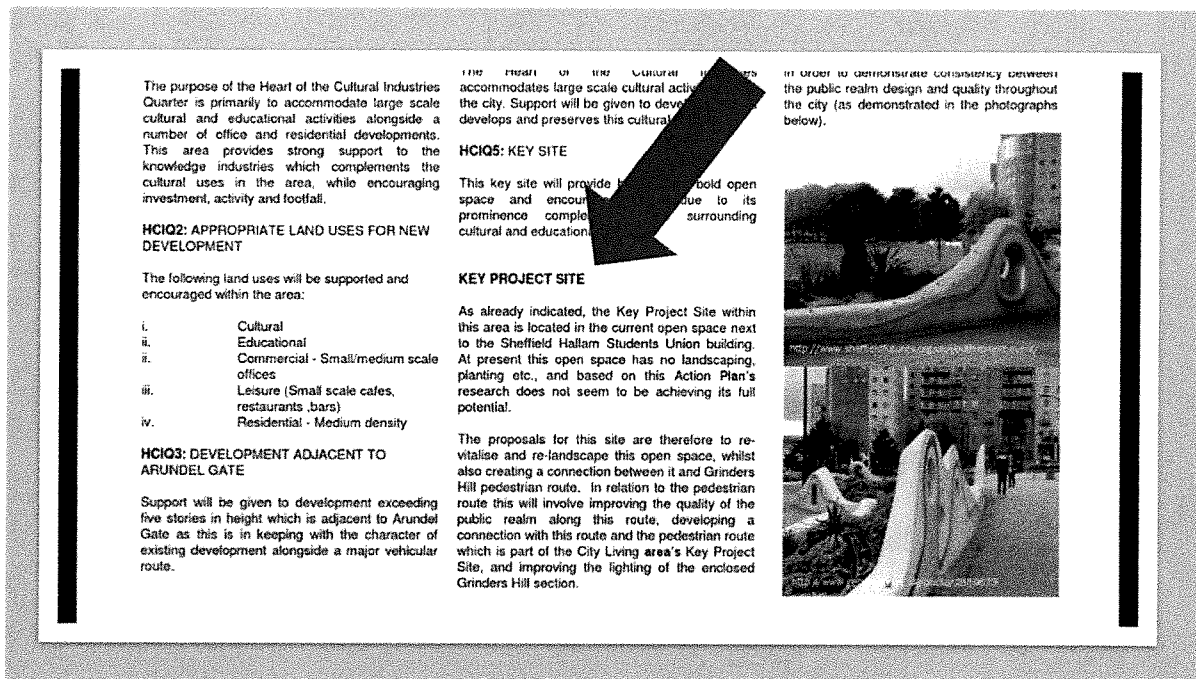
Nor do they foster good relations between men and women, tackle prejudice or promote understanding. They reinforce damaging stereotypes that reduce women to sexual objects and men as predatory walking wallets. Given the nature of the alleged breaches, they also fuel notion that female same-sex sexual acts are for male sexual gratification.

Location

We welcome the *This is Sheffield* Plan for our city and its aims and vision. We do not believe that the ongoing existence of Spearmint Rhino is compatible with any of it, in particular, the following:

The city centre is a safe place throughout, where walking or cycling is often the first choice, but well connected by all transport modes (p.8)

Festival Square has been identified as a key project site since 2013. We maintain that the club is holding back further use and development of this space into its full potential. Circular arguments such as "no one uses this space" vs "the club's presence is impacting on this space's use and holding back its full development potential" have resulted in an impasse. However, as far back as 2013 it was acknowledged that this space was not used to its full potential in the following action plan:



Yet, it remains underused and undeveloped.

The *This is Sheffield* (the Plan) states that Festival Square was highlighted as part of its future aspirations in the city's 2010/11 consultation. (p.53) We hope that we will not reach the end of the plan's term to see the same.

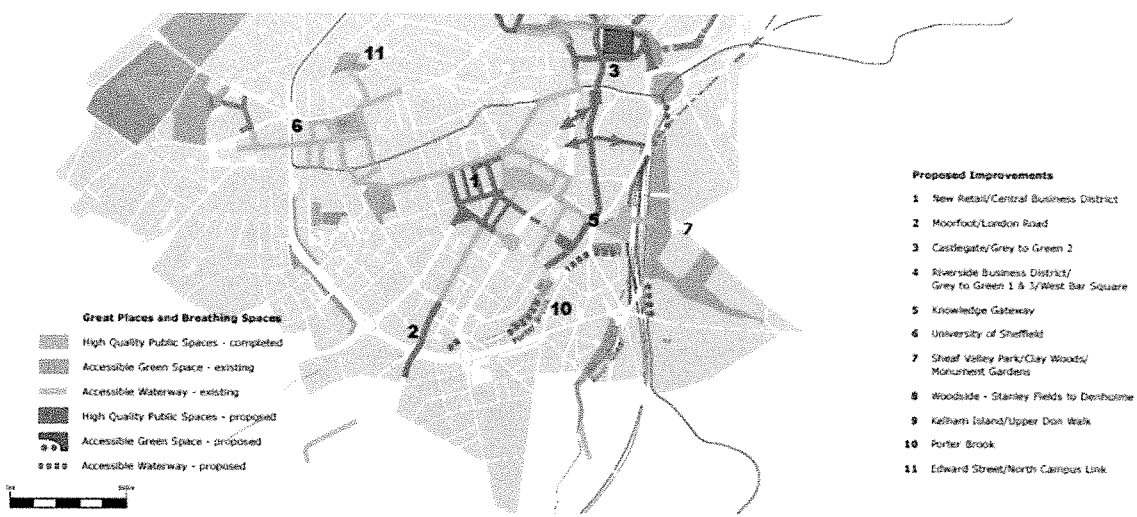
The Plan's vision is to enhance and develop the CIQ and states:

"For SHU's new extended high quality setting for investment and expansion will be commenced by the Knowledge Gateway Project again supported by the Council, the City region and SHU. The project will create an enhanced and more cycle and pedestrian friendly corridor linking the core of the Cultural Industries Quarter at Paternoster Row and SHU's Howard St main buildings with further expansion sites and the new Sheffield Institute of Arts at Fitzalan Sq (p 28)

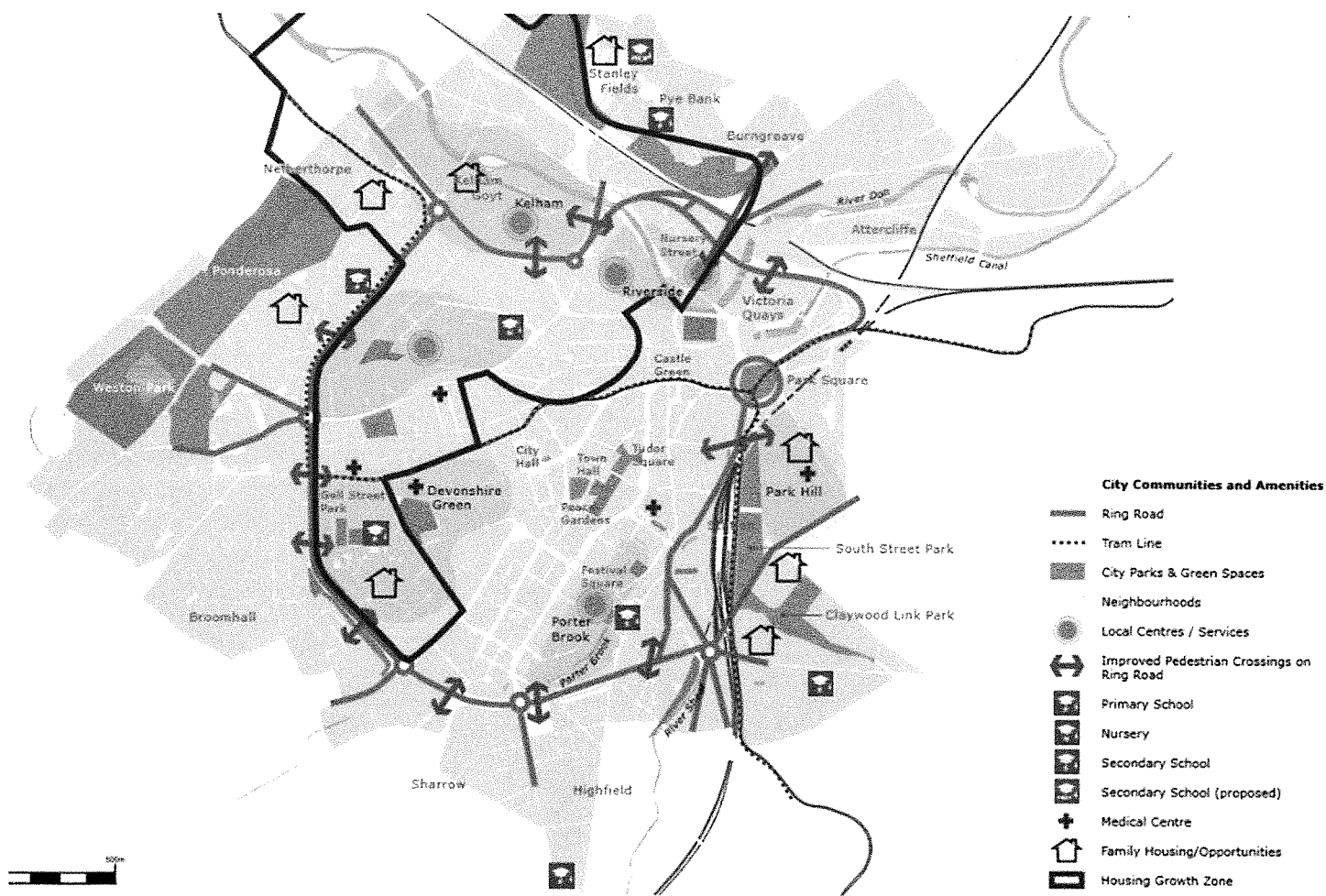
Under the heading *Knowledge Gateway*, the Plan states

Paternoster Row/Brown St. Working with Site Gallery, Hallam University, The Workstation, Showroom Cinema among others, the area will be traffic-calmed and upgraded to create a series of pedestrian priority streets and spaces which can form an attractive 'main street' of the CIQ accommodating outdoor seating, art installation events (p 52)

Thus, further changing the character of the immediate vicinity and according to the Plan's programme, listed for completion in 2018-19 (p.87)



The club is in the vicinity of schools, which the map below from The Plan shows, alongside the local centres/services, marked as the orange circle symbol, and the area highlighted in orange as “neighbourhoods”; a medical centre in very close proximity and Festival Square greyed out as “city parks and green spaces.”



Furthermore, despite repeated assertions on an annual basis that Howard Street is the main thoroughfare/gateway, below is a direct quote taken from the Plan and it is described as “the main street” in the CIQ with plans to pedestrianise it.

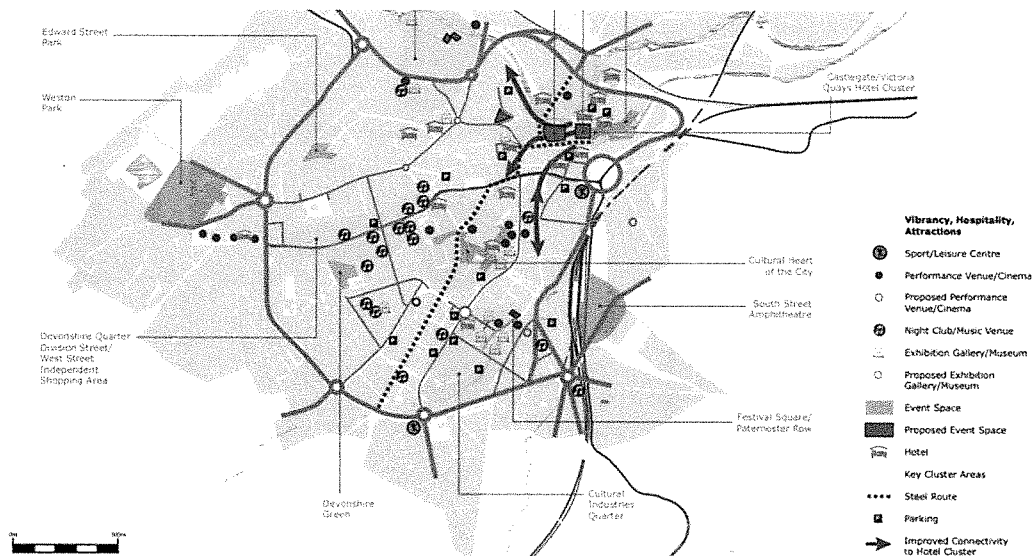
Under the heading *THE CULTURAL INDUSTRIES QUARTER (CIQ)*, it is stated:

Sheffield's CIQ came into being over 25 years ago and was among the first examples of the successful proactive clustering of the new creative and digital industries around small workspaces in repurposed former industrial buildings. The CIQ remains the regional hub of this sector, but the stock of cheap, available buildings and sites has almost run out due to the expansion of Hallam University and competition from residential development particularly around Sidney St/Mary St. Although the redevelopment of the Council's Matilda St site and other sites on Sidney St should continue to provide further new ground floor creative business spaces there is limited further scope, for low cost space. Whilst the public realm of Arundel St has been transformed, helping to make it a lively and pedestrian-friendly street, the 'main street' of CIQ, Paternoster Row/Brown St is of poor quality, is dominated by speeding traffic and does not provide an appropriate setting or spill-out space for its main attractions such as the Showroom, Workstation, Site Gallery, Hubs Building or Persistence Works. Therefore the plan proposes a major improvement to the pedestrian realm of Brown St/Paternoster Row as part of the Knowledge Gateway project. (see plan vi and section 4.6)

It goes onto state:

SPACE FOR THE MAKERS “WITH THE CONTINUED GROWTH OF CITY CENTRE HOUSING, THE SECTOR IN S1 WILL FACE PROBLEMS OVER THE YEARS AHEAD AND MAY NEED TO SPREAD BEYOND ITS ESTABLISHED BASE. DEMAND FOR STUDIOS REMAINS HIGH” - ARTS REPORT (p.57)

This map shows a proposed exhibition gallery/museum and the proposed event space of Festival Square (p 59):



In light of incompatibility with the club's location in the area as it is currently, we maintain that future developments render the location even more incompatible.

The Sub-committee's attention is drawn to this summary:

The Court of Appeal has dismissed an appeal brought by the operators of a lap dancing venue.

In 2011, Oxford City Council granted a Sexual Entertainment Venue (SEV) licence for a lap dancing club called the Lodge. The following year the Council refused to renew the same licence in the same location which led to the decision being challenged by way of Judicial Review to the High Court in 2013.

At that time Mr Justice Haddon-Cave ruling confirmed that, with reference to renewal applications, local authorities *"are entitled to take "a fresh look" at the matter and accordingly, it is open to a local authority to refuse to renew a licence even where no change in the character of the relevant locality or in the use to which any premises in the locality are put"*. [para. 57]

Further, in relation to taking into account the future character of the area as opposed to the current at the time the application was made Mr Justice Haddon-Cave stated *"...licensing decision-makers are entitled to take into account both the present and future "character" of an area. There is no reason to limit the reference to "character" in paragraph 12(3)(d) only to the present character of the area. Indeed, it would make no sense to do so in the context of prospective licences which were to be granted for 12 months in the future. Prospective licences required a prospective view. The fact that an area is developing and in a continued state of change is a relevant consideration to why renewal might be inappropriate."* [para 68]

The Court of Appeal has now dismissed the Appeal brought by the operators of the club and held that is lawful for a Council to take account of the character of the area in terms of the suitability of the grant of a licence with regard to future developments in that area.

Lord Justice Lloyd Jones held that *"Under Schedule 3, LG(MP)A 1982, a Council is given a wide discretion in the assessment of whether the grant or renewal of a licence would be appropriate having regard to the character of the relevant locality. It seems to me that in making that assessment it should be permitted, at least, to have regard to an imminent development of which it is aware, even if there can be no certainty that it will be completed and operational within the period of the licence"*. [para 49]

However, the ruling does distinguish this further by stating: *"Nevertheless, the ability to take account in this context of forthcoming developments cannot be open-ended. The fact that SEV licences can be granted for very short periods which may not, in any event, exceed twelve months has an important bearing on this. Accordingly, I would suggest that it would not be open to a Council to rely, in refusing to grant an SEV licence, on a Development Plan which contemplated development say some five years in the future"*. [para 50]

The Judgment also ruled that there was no breach of the Licensing Authority's obligations under the EU Services Directive with Lord Justice Lloyd Jones stating *"I can see nothing in the statutory scheme for SEV licences, the approach of the Sub-Committee or in its 2012 decision which conflicts in any way with the Services Directive (2006/123 EC) which is implemented in the United Kingdom by the Provision of Services Regulations (SI 2009/2999). In particular the nature of the*

activities licensed is such that there are compelling justifications for limiting the period of authorisation and for granting to local authorities a wide discretion on applications to renew. [para 45] <https://www.john-gaunt.co.uk/news/renewal-of-sev-s-r-alistair-thompson-v-oxford-city-council-2014-ewca-civ94>

We reiterate that according to the Plan's programme, this "main street" is listed for completion in 2018-19 and is therefore an imminent development (p.87)

The Sub-committee is also asked to note that we are aware of two former clubs which once re-purposed have transformed local areas. LA Confidential Ealing was closed after breaches were found following an undercover visit, is now a thriving restaurant with a much larger customer base than a strip club. A former Bristol strip club is now a thriving tapas bar. We would welcome a more inclusive amenity or facility here which would also contribute to the City's Alive After Five initiative and would be more conducive to developing a thriving leisure community within the CIQ.

As one poster on a Reddit thread regarding last year's hearing thread stated:

"What is more important to the city now? The desires of a huge university [SHU] that represents a significant amount of the city's economic activity, or that of a small club/bar that employs a few underpaid strippers and barstaff, and whose profits go out of town to the corporate headquarters anyway?"

We have also been assured by the club's QC, when questioned about employment rights and protections, that the dancers are "peripatetic workers" so have the option to work elsewhere.

The applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason

Clearly, there is not an issue here regarding previous convictions, however, we believe there are compelling other reasons with regards to how this chain been managed in the past.

In 2015, when attending the hearing, we gave presentation and showed the following screencap from Sheffield Forum discussing Sheffield's Spearmint Rhino.

**helhol**

Posted March 7, 2014

#30

edsballs said:

This type of place is the last bastian
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

<https://www.sheffieldforum.co.uk/topic/384980-spearmint-rhino-in-town/?page=3>

And the response was, "that is Leicester" as if it were irrelevant.

Obviously, we don't know the nature of these "goings on" but suffice to say, however, it points to a wider picture of issues and breaches across the chain and the applicant and management's ability to manage these clubs within the terms under which they are licenced.

Last year we posited that both the club's and chain's advertising were incongruent with the club's own rules by way of presentation of the images (see Appendix). Given the alleged breaches that have taken place in the clubs in Sheffield and London, it appears that these adverts are indeed congruent. Note that none of these breaches came to light through regular council inspections which makes it questionable as to how effective these inspections are, even unannounced ones.

Similar breaches of not only a sexual nature but of exploiting a drunk customer were also found to have occurred in the Bournemouth branch a few years ago; these are in the public domain.

Last year, the Sub-committee had before it the following reviews from the site below, which seems to have been taken offline:



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

Daytime 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

This implies that the reviewer had more than a dance.

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 0 0

The Sub-committee is asked to note that "some of these girls pummel their behinds into your groin" which again breaks the club's own no contact rules.

Atmosphere: ★★★★★ Dancers: ★★★★★ Value: ★★★★★ Overall: ★★★★★
 ★★★★★ ★★★★★ ★★★★★ ★★★★★

Joined us on Jan 2017

Fantastic looking club (as usual for SR) but in completely the wrong place - student hell! Went there on a wednesday about 11pm and it was dead. There were only six girls on (I spoke to the manager who said there should have been 12!) so it was really difficult to get dances - do they not want my money! Had three dances and at £40 for 15 minutes they were pretty good value by UK standards. I'm told the place is buzzing at weekends and on tuesday night (student night) but I'm not sure how sustainable the club is. Having said that if you want a relaxing low pressure time, I would recommend it.



kally71

2004-11-20

Visit Day: Unknown

Visit Time:

0 0 0

Even this reviewer agrees that the club is in the wrong location.

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.

4 Mar 2016

peoffrey

peoffrey said:

A big mucky night out in a different place (Sheffield for me) and a accompanied by a trusted friend did the trick. I'd come in to some money and ended up blowing a wad in Spearmint Rhino. One bigger boobed Jessica Ennis lookalike earned some decent wage waving her Jack and Danny in my face too. I began dating again some six months later. There's been no girl like it since but I remain the eternal optimist.

I've just remembered that I tipped her extra and she let me lick her tit.

4 Mar 2016

These acts and the messages they convey are extremely damaging. Given that consent is the most contested issue in rape cases, what are we teaching men? That "no" does not really mean "no"?

In conclusion

In the past, we have been told that there were "no legal reasons" to refuse the licence. We reiterate, you do not need a legal reason. There is a clear precedent for taking a "fresh look" and as outlined below when Philip Kolvin represented residents objecting to the renewal of a 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)*

We submit that there have been significant changes with the Site Gallery refurbishment and expansion, the new outdoor seating area outside the Showroom and there are development plans in progress for the CIQ and SHU's city campus Master Plan.

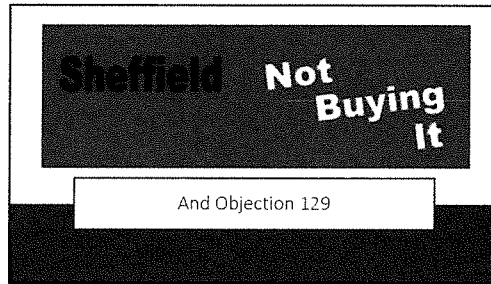
Please note that the aforementioned Chester Platinum Lounge's strip club licence renewal was refused. As such, the Council is fully empowered to refuse the licence, particularly in view of the widespread breaches to conditions, recently reported in the local and national press and presented to the Council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

Yours sincerely

Sheffield Not Buying It

Appendix

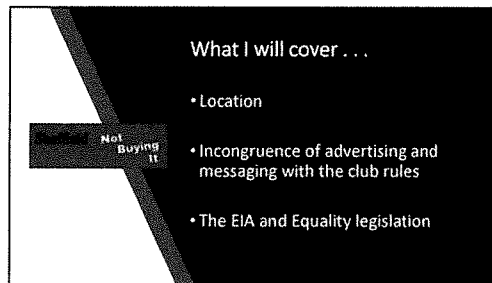
Slide 1



Firstly, thank you to the Subcommittee and also thank you to licensing for providing us with the applicant's witness statement as requested, it has been really helpful. The Council has been really receptive to objectors' suggestions about the hearing process.

I am speaking on behalf of Sheffield Not Buying It (which is objection number 102, p 503 onwards) and objection 129.

Slide 2



What I will cover has been set out in greater detail in the 2 submissions I am talking to, however, I will touch on . . .

Slide 3

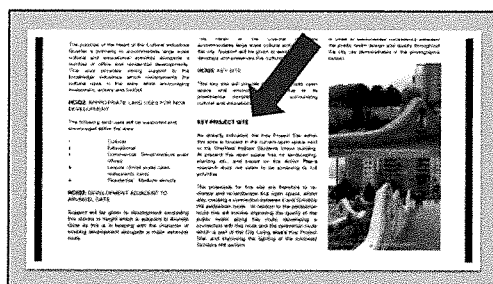


Firstly, let us look at some of our proud history . . . The journey of . . . And more recently, our city commemorated women steel workers from the 2 world wars with the women of steel statue. Let's continue that proud history in this year, the centenary of the Representation of the People Act where some women got the vote instead of negative publicity such as

Slide 4



Slide 5



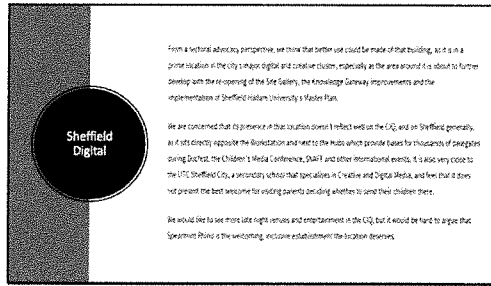
Firstly, the club's location. This is taken from the 2013 Cultural Industries Quarter Action Plan and I note that the Landlord and Developer of the Heart of the City II scheme has also objected on behalf of the City Centre Developer Team (objection no number 53). Key project site . . . "not achieving its full potential" . . . "should be based on the style of Devonshire Green"

Slide 6



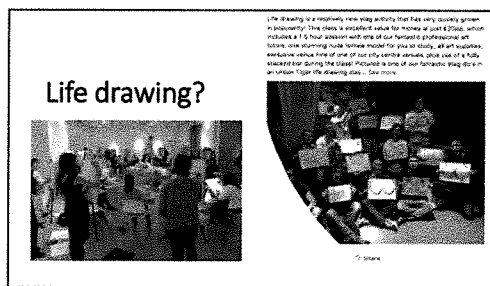
Well, I think we can all agree that this is far cry from that vision and many of us contend that it is Spearmint Rhino holding back this space from being used to its full potential. And whilst there is graffiti on that photo and elsewhere, which seems to be a concern of the applicant given the number of times it is referred to in the witness statement, urban street art is far more in keeping with the CIQ than a strip club.

Slide 7



Continuing with the matter of the club's location, this is from Sheffield Digital's website, we totally agree with the statement that the building could and should be put to better use

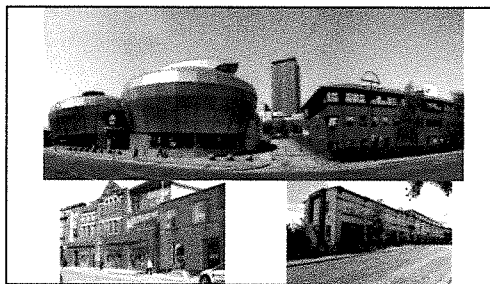
Slide 8



Rather than continue to operate as a strip club. Last year it was suggested to the Sub Committee that it could consider ways to integrate the premises into day time use giving as an example a strip club in Bristol which hosts life drawing classes.

Sincerely hope that the Sub-committee does not consider this.

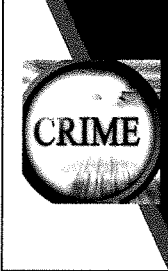
Slide 9



Furthermore, if prospective students and residents are viewing the university and properties during the daytime, they should be able to make an informed decision about whether to study and or live somewhere with a strip club on the doorstep.

Would also like to add that it is irrelevant if the Student Union offers pole dancing classes


Slide 10



LOCATION – proximity to areas with high levels of crime

- Arundel Gate reported as 10th in the city's top 10 areas of crime
- Includes "assaults, robberies and sex attacks on women."


Slide 11



LOCATION - ii) Use of other premises in the vicinity hospitals, mental health or disability centres, substance misuse treatment centres, sexual exploitation services, sexual abuse centres or similar premises;

- Approximately 1 in 4 of the population will experience mental health issues each year
- Approximately 85,000 women and 12,000 men are raped in England and Wales alone every year; that's roughly 11 rapes (of adults alone) every hour. These figures include assaults by penetration and attempts.
- Nearly half a million adults are sexually assaulted in England and Wales each year
- 1 in 5 women aged 16 - 59 has experienced some form of sexual violence since the age of 16

Slide 12



← Tweet

Spearmint Rhino
@RhinoInTheField

Have you checked out

Spearmint Rhino
spearmintrhino.com

3:54 pm · 12 May 18

Club rules vs advertising

Continuing the suffrage theme and the Suffragette call to arms Deeds not Words . . . There appears to be a conflict between the deeds portrayed in the promotional literature and the words stating the club rules

Slide 13



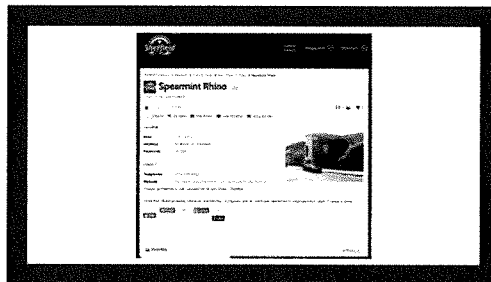
According to the Club's rules and the witness statement, it is not permitted for dancers to touch their breasts. Whether or not this is on the US website, the link in many tweets on the Sheffield Spearmint Rhino Twitter accounts takes you to this image, I have recordings on my phone to prove this should the Subcommittee wish to see. It is frankly amazing given this that the club's management insist there is never any trouble.

Slide 14



Regardless of whether there is no control of these images and publishing thereof, they nonetheless feature the SR brand. How are readers supposed to know that this is not permitted in the clubs when there is an absence of club rules in any promotional materials?

Slide 15



Similarly, the videos on this website

Slide 16



Feature women caressing their breasts, which in the witness statement Licensing provided, is acknowledged that this is not permitted

Slide 17



Slide 18



Other advertising also more than hints at sex

Slide 19



Slide 20




Slide 21

Statutory equality objectives

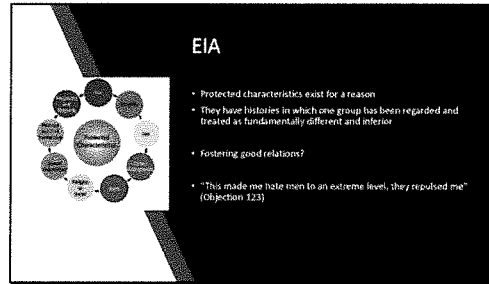
- EIA states "sexual entertainment venues are open to all sexes" – which begs the question as to why they are called "Gentleman's Clubs"
- Eliminate discrimination, harassment, victimisation;
- Advance equality of opportunity;
- Foster good relations.

The EIA does not address impacts on **all** women



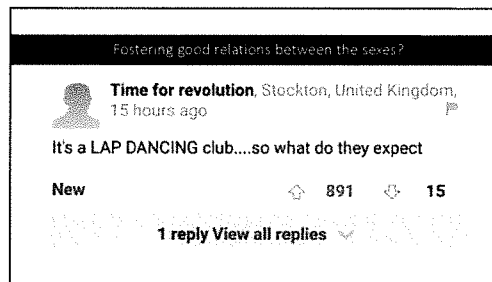
Section 149 of the Equality Act 2010 enacts the PSED. A public authority must, in the exercise of its functions, have due regard to the need to:

Slide 22

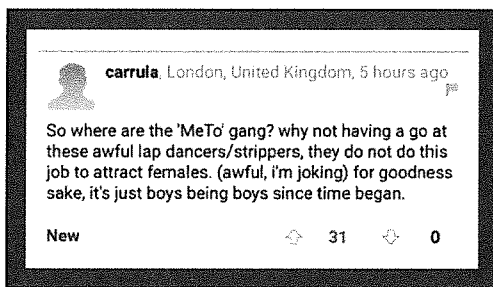


Which includes race. The witness statement refers to two events featuring male strippers. I assume this refers to The Chocolate Men? This reinforces racial stereotypes about well endowed sexually aggressive black men, is offensive in the extreme and does not promote equality nor makes lap dancing more acceptable. Again it is a power imbalance based on the white gaze and if the photos in the witness statement are anything to go by, cannot see any women of colour queuing up. Besides, several complaints appeared on FB and there were attempts by SR to distance itself from the issues raised and I understand that future Chocolate Men events have been cancelled at Sheffield SR

Slide 23



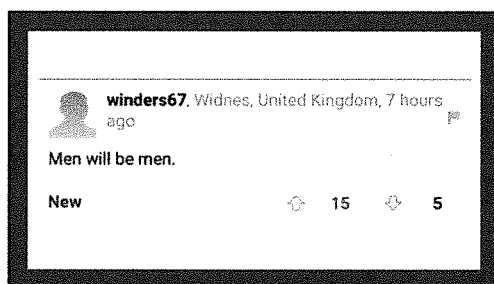
Slide 24



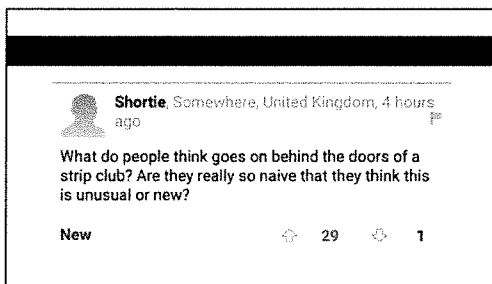
Slide 25



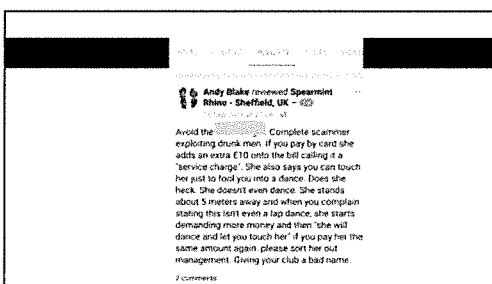
Slide 26



Slide 27

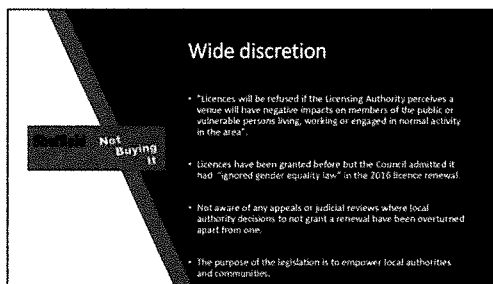


Slide 28



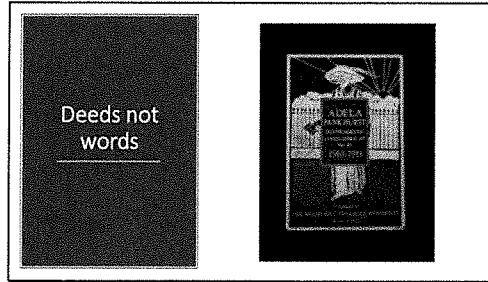
Customers not only expecting sexual contact but referring to the dancers as “scammers” and “exploiting drunk men” because how else will they make any money? Sammy will talk more about this. However, how does this foster good relations between the sexes? And the witness statement states this was posted by someone outside the club, precisely – the club’s bread and butter, a customer! This is the beauty of social media.

Slide 29



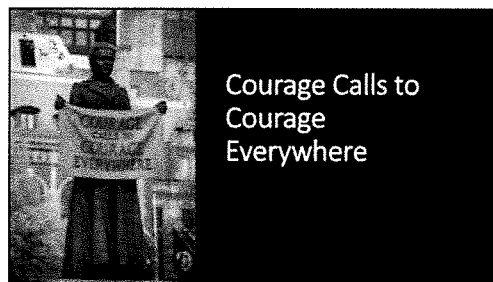
Which is at odds with the EIA which does not address wider impacts but focuses on staff and customers. You have heard year on year about how the club’s presence impacts on mostly women wanting to access facilities in the area, some women with more than one protected characteristic.

Slide 30



We want deeds not words – the Suffragette motto – and you are probably wondering why there is a plaque of the Suffragette, Adela Pankhurst, this is another part of our history as she lived here for a year. We are not interested in conditions, further judicial reviews and annual hearings at great cost. We appeal to the Sub-Committee to decline the licence which it has a wide discretion to do so. There are almost 150 objectors; that's 50% more than last year. There is one letter of support and less supporting letters from those who work in the club than last year, 4 of which are dated February 2017. This is not an issue of loss of livelihood, as Mr Kolvin told us last year, the dancers are peripatetic and will work one night in Sheffield and he gave Wakefield as an example as to where they would work another night. I have heard from a former dancer how they work all over the country as did she.

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will end with another statue, that of Suffragist Millicent Fawcett and another Votes for Women quote "Courage Calls to Courage Everywhere." It takes courage to speak out, courage to depart from previous decisions and it will be a bold move to turn down the licence but a welcome and necessary one which will be widely supported in the #Metoo era.

Rhodes-Evans Emma (CEX)

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

O273

From:
Sent: 26 May 2019 22:17
To: licensingservice
Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Sent from my iPhone

Subject:

FW: Objection to the re-licensing of Spearmint Rhino Sheffield

O274

From:

Sent: 26 May 2019 22:43

To: licensingservice

Subject: Objection to the re-licensing of Spearmint Rhino Sheffield

Dear Sheffield licensing,

I object to the re-licensing of Spearmint Rhino as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Sincerely,

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

O275

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

From:

Sent: 26 May 2019 22:47

To: licensingservice

Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Sent from my iPad

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

O276

From:

Sent: 26 May 2019 23:12

To: licensingservice

Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicence on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Kind regards

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

O277

From:
Sent: 26 May 2019 23:28
To: licensingservice
Subject: Objection to the re-licensing of Spearmint Rhino

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicense on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Sent from Samsung Mobile on O2

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

O278

From:

Sent: 26 May 2019 23:37

To: licensingservice

Subject: Objection to the re-licensing of Spearmint Rhino

Dear Sir/Madam,

I object to this licence as its location is entirely unsuitable even according to your own policy - it is even on a University campus. As you should know, a strip club CANNOT legally challenge a decision not to relicence on the grounds of unsuitable locality.

Further, recent independent investigations have 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 a few more cameras is obviously not going to make any difference whatsoever in Sheffield. The licence holder is clearly unfit. You cannot prevent crime and disorder and you cannot abide by equality law.

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

Yours sincerely,

Rhodes-Evans Emma (CEX)

Subject: FW: Spearmint Rhino SEV licence application

0279 P1

From:
Sent: 26 May 2019 23:50
To: licensingservice
Subject: Spearmint Rhino SEV licence application

Licensing Service
Block C, Staniforth Road Depot
Staniforth Road
Surrey Street
S9 3HD
By email to: licensingservice@sheffield.gov.uk

26/5/2019

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>

Rhodes-Evans Emma (CEX)

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

O280

From:

Sent: 27 May 2019 00:06

To: licensingservice

Subject: Objection to the re-licensing of Spearmint Rhino

As a member of a Cross Party Group concerned with Commercial Sexual Exploitation, I would like to raise an objection to this licence as its location is entirely unsuitable. Your own policy would not deem a university campus as a suitable location.

More concerning, recent independent investigations have 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.

It would therefore seem that a new manager or extra cameras would not make any difference in Sheffield. The licence holder appears to be unfit for the position, being unable to prevent crime and disorder. If this club is licensed, women will be at risk. Therefore I ask that public concerns are recognised and women's safety taken into consideration as paramount, not secondary.

Yours