

Schedule of Responses to Licensing Policy

Appendix 1

Area of Policy	Ref	Respondent	Summary of comments	Consideration/ appraisal	Response
Appendix B, number 25.	1. 21.1.11	Cllr Saunders	Appendix B 25 refers to 'under the age of 25'. Would this be challenge 25?	Challenge 25 is an initiative which relates to the sale of alcohol, under the Licensing Act 2003.	Similar principles to the 'Challenge 25' initiative are being implemented here for entertainment constituting sexual entertainment.
General	2. 7.2.11	Individual respondent, address not stated	<p>I fail to see how a club has anything to do with 'sex' as such and therefore needs to be under the same laws as a sex shop.</p> <p>Does the Cambridge Corn Exchange come under a sex establishment licence for holding events such as the vagina monologues (which has sexual content)</p>	<p>Section 27 of the Policing and Crime Act 2009 introduced a new category of sex establishment called 'sexual entertainment venues' (SEV's) and gives local authorities in England and Wales the power to regulate lap dancing clubs and similar venues under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.</p> <p>Comment considered. It will be a matter for the Corn Exchange to decide in the future whether it wishes to stage events which require a sex establishment licence and if so, make the appropriate application.</p>	The council will licence SEVs in accordance with the legislation and any guidance issued by the government
General	3. 23.2.11	Individual respondent, address not stated.	The draft policy document misses the mark. The Council does not want to make moral judgments and seem also to suggest that to become a properly cosmopolitan city, Cambridge must shed some of its inhibitions. If we have the Grand Arcade for the compulsive shopper, then we must have sex clubs too. Well, perhaps you should think again. There is, after all, a good deal of evidence to suggest that pole/lap-dancing venues do not always pay their performers terribly well, and that there may sometimes be a degree of exploitation involved. And never mind the well-rehearsed arguments about whether or not such establishments 'empower' women, whatever that means, or the questionable evidence that they enable a small number of young female students to pay their way through university. I'm a fifty-seven year-old male who could not by any stretch of the imagination be described as a feminist,	<p>Comments considered.</p> <p>The amendment brought about by the Policing And Crime Act 2009 is specifically designed to provide more stringent conditions and give greater powers of control to the Council. This will apply to both existing and new premises.</p>	We will be undertaking our functions in accordance with the new legislation.

<p>Nil sex establishments</p>			<p>but I would still argue that lap-dancing clubs degrade both the women who perform in them and the men who visit them. Controversially, Cambridge already has one lap-dancing club, the Talk of the Town off Napier Street, and my unfortunate acupuncturist has to practice immediately above it. I have no idea if this venture has proved commercially successful, but the other traders I visit in Cobble's Yard would clearly much rather it wasn't there. As, to be perfectly honest, would I. The legislation enabling the establishment of such venues was always far too lax.</p> <p>Unless I'm mistaken, the recent application to launch some sort of burlesque emporium (or should that be purgatorium?) in the former bingo hall on Hobson Street was rejected, apparently for 'operational' reasons, by which I presume is meant the potential policing problems such an establishment would have posed in the city centre. A good thing too, in my view. This part of Cambridge is already effectively a no-go area for anyone who wants to enjoy a good, old-fashioned night out without fear of encountering alcohol-induced unpleasantness of one sort or another. And situating such a venue elsewhere, away from the city centre, would no doubt bring with it a different set of problems.</p> <p>Whatever sexually oriented entertainments people wish to enjoy in the privacy of their own homes is, of course, entirely their own business, and no one else's. (And prostitution? Let's not even go there, although legalised brothels might perhaps be a start in preventing the abuse of sex workers.)</p> <p>But does Cambridge really need more lap-dancing clubs or, heaven help us, a dedicated burlesque venue? I would submit that it does not. Just because these establishments are legal doesn't mean they have to be allowed.</p> <p>The city council really should take a more robust position here, preferably one which states, quite clearly, that this city is better off without such venues. They do, after all, set a certain tone, and I'm not at all sure it's one that Cambridge should set, or indeed needs to.</p>	<p>An application for The Greene Room in Hobson Street was refused after a hearing of the licensing sub-committee on 17th Jan 2011. The decision has been appealed and will be heard by Magistrates' in November 2011. This application was made under the Licensing Act 2003, not as a sex establishment.</p> <p>Comment considered.</p> <p>Adoption of the legislation enables the council to regulate premises of this nature.</p> <p>Comment considered.</p>	<p>A Licensing Act 2003 matter.</p> <p>Addressed in committee report. See also Section 9 of the policy.</p>
<p>Nil sex establishments</p>	<p>4. 6.3.11</p>	<p>Individual respondent and Cambridge resident</p>	<p>Objects to the presence of any sex establishments within Cambridge city. Women are subjected to more offensive language and approaches in the area of these establishments. Women employed in them are demeaned and objectified.</p>	<p>Comments considered. The Council has considered setting a maximum number of establishments, which could have been Nil.</p>	<p>Addressed in committee report. See also Section 9 of the policy.</p>

			Parliament may have made them legal, but I hope the LibDem led council will have the moral probity to refuse them licences, otherwise this will be a matter to remember at the next local elections.		
Nil sex establishments	5. 9.3.11	Individual respondent and Cambridge resident	Objects to the presence of any sex establishments within Cambridge city. Women are subjected to more offensive language and approaches in the area of these establishments. Women employed in them are demeaned and objectified. Parliament may have made them legal, but hopes the LibDem led council will have the moral probity to refuse them licences, otherwise this will be a matter to remember at the next local elections.	Comments considered.	Addressed in committee report. See also Section 9 of the policy.
Nil sex establishments	6. 21.3.11	Individual respondent. Address not stated.	Urges in the strongest possible terms to reconsider licensing further sex encounter establishments in the city of Cambridge. Strip clubs dehumanise women and as a result cause violence against them. Rates of sexual assault rise in areas where strip clubs are located. I see no reason for this kind of misogyny to be perpetuated in one of the most enlightened areas of the country. I am extremely disappointed that the council is even considering these proposals. As a Cambridge student and a woman I recognise that, with rising tuition fees, future female students in the city may be pressured into working in these establishments, and this should be avoided at all costs in the interests of gender equality. Why should women be forced by our economic climate into objectifying themselves and selling their bodies? Licensing strip clubs is profoundly damaging to our society and I and like minded members of this university will do our utmost to prevent this damage.	Comments considered.	Addressed in committee report. See also Section 9 of the policy.
Appendix B additional conditions	7. 15.3.11	Dr Teela Sanders, Reader in Sociology, University of Leeds.	Attention brought to a current research project into the lap dancing industry in the UK, funded by the Economic and Social Research Council, and conducted by myself as Principal Investigator and Dr Kate Hardy as research officer at the University of Leeds. Central aims of the project are to investigate the experiences of dancers and their working conditions. More about the aims, scope and methodology of the project can be found at: http://www.sociology.leeds.ac.uk/research/projects/regulatory-dance.php The project is in the final phases having surveyed 197 dancers and conducted 70 interviews, with the final report	Comments and research considered.	

			<p>available over the summer. We would like the committee to consider the preliminary findings report which was released in August 2010 and is attached as Appendix1.1.</p> <p>Specifically we would like to make proposals for inclusion in Appendix B in order to consider the welfare of dancers further, and also to stipulate conditions which help to prevent financial exploitation.</p> <ul style="list-style-type: none"> - Availability of better information about status of self-employment, including tax, insurance and legal standing. - Offer a receipt for fines and fees and ensuring the fines policy is adequately displayed. - Offer a receipt for dances where commission is taken - Monthly meetings between management and staff to discuss rules, changes, and to get dancers' input. - Encourage or even provide Insurance for the women. - Provide an induction pack for dancers for when they first start and also permanently display this in the changing rooms with the key policies and information regarding safety available to dancers at all times. 	<p>Noted.</p> <p>Conditions reviewed.</p> <p>Whilst the Council accepts that these show good practice, they are matters between the performers and employers and would be difficult for the local authority to enforce.</p>	
9.2	8. 3.4.11	Individual respondent, concerned parent and resident of Cambridge	<p>I would suggest that in addition to the groups of people listed you would want to protect from this type of establishment you would want to include the group 'vulnerable adults'</p>	Comment considered.	Amended to include vulnerable persons.
4.3 Relevant entertainment	9. 16.4.11	Individual respondent and resident of Cambridge	<p>The 'relevant entertainment' included in clause 4.3 is not an exhaustive list. It is also important to specifically include Burlesque or Modern Burlesque in this list as relevant entertainment.</p> <p>Burlesque was originally a form of political cabaret or variety performance, including live song and dance, stand-up comedy and some nudity. Modern burlesque is devoid of any political or cabaret elements and is now primarily a strip show- often elaborated into peep shows with 'vintage' or 'bondage' themes- performed solely for financial gain and sexual entertainment.</p> <p>Because Cambridge is a cultural centre with an affluent, well-educated population and a large number of students, lap-dancing clubs are likely to theme their proposed clubs as a</p>	<p>Comment considered.</p> <p>The understanding of the exact nature of the descriptions cited may vary and are to be treated as indicative only. Para 4.3 states that ultimately decisions as to whether entertainment is 'relevant entertainment' will depend on the content of the entertainment and not the name it is given.</p>	Each case will be considered individually.

Section 9			<p>'Burlesque House' etc to seem more upmarket and disassociate themselves from the reputations of clubs like Spearmint Rhino. This gives them the opportunity to avoid their responsibilities as a sexual entertainment venue to their staff and to the public, or to attempt to avoid a sexual entertainment licence altogether, by claiming that their performances are art or avant-garde theatre.</p> <p>Of relevance, it was reported in the Cambridge Evening News recently that the Junction's Burlesque club night ad poster had to be removed from the Morley Memorial Primary School railings and an apology issued by the Junction after complaints by parents that it was an inappropriate place for it to be displayed. From a combination of the picture and the Burlesque theme, the club was understood to be providing a strip show or at least some form of nudity as sexual entertainment. Burlesque show is a euphemism for strip show, and this is how it is commonly understood.</p> <p>Burlesque style venues should be included in the category of sexual entertainment, even if some cabaret element is present [for example in the branding of the venue or in the actual performances] since the focus and primary function of burlesque is now sexual entertainment. We should automatically consider that burlesque clubs be in the same category as lap dancing clubs, and then decide on an individual basis whether there is a significant enough degree of artistic/theatrical material for sexual entertainment not to be the primary purpose of the venue.</p> <p>Please consider including in Section 9: The Location of Licensed Premises [listing the unacceptable nearby locations for sexual entertainment establishments]:</p> <ul style="list-style-type: none"> i. <i>Sixth form colleges</i>- of which Cambridge has many. They qualify by being places of education used mainly by people aged 16-18, who are still legally children. Obviously a large proportion of students are young women, and they are used as community centres where children's clubs and community activities are run. ii. <i>Non-religious community centres</i> and communally 	<p>Comment considered. Section 9.1.2 and 9.1.3 specifically refer to areas where there may be children under 16 years of age. A sixth-form college will comprise mainly 16-18 year olds.</p> <p>Comment considered. Each</p>	
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Section 10			<p>used buildings or sites like W.I Halls because they are used mainly by women, children and the elderly and because secular sites should receive the same protected status as sites exclusively for religious communities.</p> <p>It is the responsibility of the City Council to fully inform the public about proposed Lapdancing/Strip clubs and about their right to object to the granting of a licence, and not to rely upon the public to seek out this information. I do not think this is being done effectively, and would recommend you add a clause to Section 10: Commenting on Licence Applications:</p> <ul style="list-style-type: none"> i. The Council is required to notify those who live and work in the immediate vicinity of the proposed venue of forthcoming applications via letter-drops, posters, community newspapers etc which clearly state the nature of the venue, the 28 day time limit within which objections can be made, and how objections can be made i.e. on the council website, by phone etc. 	<p>application is considered on its merits and consideration will be taken as to an area is appropriate, for example areas that attract a high percentage of female, elderly or young users. (Covered in 9.1 & 9.2)</p> <p>Under the LG(MP)Act 1982, it is the applicants responsibility to inform the public by means of publishing a notice in the local newspaper within the area, not later than 7 days after the date of the application and in addition by displaying a notice at the premises for 21 days in a place where it can be conveniently read by the public.</p>	<p>A register will be available to view on our website.</p>
Section 13			<p>Unless these points are already covered by other sections of the policy, consider including in Section 13: Grounds for Refusal of a licence-Automatic refusal of a licence to any body corporate that holds or held a licence for a sexual entertainment venue where prostitution was found to have taken place.</p> <ul style="list-style-type: none"> i. Automatic refusal of a licence to any body corporate that holds or held a licence for a brothel abroad in countries where prostitution is legalised. 	<p>The policy states at the start of Section 13 that the grounds for refusal are set out in the LG(MP)Act 1982.</p>	
Appendix B			<p>Appendix B: Model Conditions for Sexual Entertainment Venues is very thorough, but I suggest you use in the Performers section [14-24], the example of Havering Borough of London Best Practice Policy 2005 which specifies 'no performer shall perform with or towards any other performer, and shall make no physical contact with another performer' in order that performers not be required or pressured by the venue or by patrons to perform live sexual acts for money.</p>	<p>Conditions reviewed. A condition regarding physical contact is included.</p>	

			<p>Recommends insertion of a clause in Appendix B which holds the licensees responsible for reducing harassing or threatening behaviour of their patrons towards women on the street during and after licensing hours, in connection with their duty to ensure the quiet and orderly dispersal of their patrons from the premises after closing time. For example by requiring door and security staff to monitor/patrol the surrounding street area at closing to assess potential problems, and by requiring that the outside area of the venue be well lit at all times.</p> <p>Also, that you require the establishment to receive and appropriately respond to complaints from the general public against the venue or the behaviour of its patrons, for example by maintaining an anonymous complaints section on the venue's website.</p> <p>I strongly support placing an upper limit on the number of sexual entertainment venues in Cambridge City as a whole, and also that the licensing policy specifically states that these venues [if more than one is allowed] must not be located in close proximity to each other.</p> <p>There is a causal link between the opening of sexual entertainment venues like lapdancing and pole dancing clubs in any given area and an increase in sex crime and sexual harassment. Research undertaken by The Lilith Project in 2003 in Camden found that 'in the years following the opening of a lap dance club in Tottenham Court Road, reports of female rape increased by 50% and reports of sexual assaults against women increased by 50%' [Eden, 2007]. On a grander scale 'the numbers of reported rapes around lapdance clubs is three times the national average [Eden 2003]'. </p> <p>The more sexual entertainment venues the licensing policy allows, the more the safety and rights of women and girls are threatened in a material way- 'wherever lapdance and strip clubs appear, women's quality of life deteriorates as a result, with increased reports of rape [Eden 2003] and increased fear of travelling as a result [TfL 2004]'. The harm is also psychological since 'venues offering adult entertainment involving nudity tend to increase <i>perceptions of crime and</i></p>	<p>Comment considered. A condition is included regarding door supervisors. The councils powers are limited as to the treatment of patrons once they have left the premises</p> <p>Comment considered. This could be considered to be good practice by the licence holder but is not a considered to be a condition that the council could enforce.</p> <p>Comment considered.</p> <p>Comment considered.</p> <p>Comment considered.</p>	<p>Addressed in committee report. See also Section 9 of the policy.</p>
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			<p><i>potential risk... seriously restricting the rights of women in the area to move about freely and in safety.</i> [Eden, 2007].</p> <p>The night time economy is for everyone to enjoy. Allowing any number of sexual entertainment venues to exist in Cambridge is effectively prioritising men's entertainment over women's right to safety in the city, and contradicting your own ethics as set out in the licensing agreement to 'protect the rights and health and safety of the general public... and vulnerable groups' with specific reference to The Equality Act 2010 and The Human Rights Act 1998.</p> <p>When a group of clubs are allowed to exist close together they will create a crime hotspot where women and girls are constantly vulnerable. The effect will be to give Cambridge a mini red-light district, not just in the appearance of the area and the crime statistics but because sexual entertainment venues 'act as a gateway for the introduction of the sex industry into the area' and 'anti-trafficking and prostitution organisations highlighted as early as 2003 that lapdancing clubs are used by traffickers to 'hide' women trafficked into prostitution' [Eden, 2007]. Close competition will force venues to provide increasingly explicit shows and become more exploitative of performers in order to maintain profits.</p> <p>Cambridge City council does not have the right to allow <i>any</i> number of sexual entertainment venues to exist for profit, when the resources available to deal with the result of this- an increase in gender based violence and exploitation- are so abominably poor. Cambridge RapeCrisis Centre is not a centre but a phone line open once a week from 7:30-9:30pm. Due to massive stress put on the centre by large numbers of callers, a caller is entitled to a maximum of twenty calls lasting up to thirty minutes. Though they are trained rape councillors who provide a vital support, the centre staff are unpaid. At the current rate it would take two weeks to receive calls from all eight victims of the sexual assailant whose e-fit is currently being circulated in Cambridgeshire papers and on fliers all over the city.</p> <p>Due to its status as a charity it is massively under funded- 'at</p>	<p>Comment considered.</p> <p>Comments considered. The legislation enables the council to regulate such premises.</p>	<p>See section 9</p>
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			<p>Cambridge RapeCrisis we often struggle to obtain sufficient funds to cover the costs of running the helpline'.</p> <p>It receives little support from either local or national government, who evidently do not consider Rapecrisis Centres an important public service comparable to, say, doctor's surgeries or police stations.</p> <p>Cambridge's rape conviction rate is a shameful 3.1%- less than half the national average [7%] less than half that of our close neighbours Bedfordshire [6.7%] Hertfordshire [6.5%] and less than one third the rate of Norfolk [9.6%].</p> <p>Although the Department for Media, Culture and Sport makes it clear in the four licensing objectives of the Licensing Act 2003 that it is not a valid argument to object to sexual entertainment venues purely on the basis of women's human rights, you must consider whether the sexual objectification of women is a desirable form of commerce for Cambridge's night time economy. If you agree that its is not, I urge you to impose the strictest possible conditions on the granting of licences that are available to you under current legislation until such time as the legislation can be changed.</p>	<p>Comments considered. The legislation and our policy provides greater control than the Licensing Act 2003.</p>	
<p>General</p> <p>Request for nil policy</p>	<p>10. 18.4.11</p>	<p>Two joint respondents and Cambridge residents.</p>	<p>We welcome the fact that in October 2010 the council adopted the new powers that enable SEVs to be licensed in the same way as sex shops rather than as other licensed premises such as pubs or clubs.</p> <p>We have read the draft licensing policy and have the following comments: We recommend that the council should introduce a 'nil' policy for Sexual Entertainment Venues (SEVs), as permitted under Schedule 3 of the Local Government (Miscellaneous Provisions) Act (LGMPA)1982 and amended by Section 27 of the Policing and Crime Act (PCA) 2009 preferably for the whole city, but failing that for Market Ward which already experiences more disturbance and crime due to antisocial behaviour than any other ward.</p> <p>2. We are aware that some lap dancing club operators have</p>	<p>Comment considered.</p> <p>Comment considered.</p> <p>Comment considered.</p>	<p>Addressed in committee report. See also Section 9 of the policy.</p>

		<p>threatened to appeal against the rejection of a Sexual Entertainment Venue (SEV) licence on the grounds that it violates their human rights under the Human Rights Act 1998 and that the two rights they threaten to invoke are the right to freedom of expression and the protection of property.</p> <p>3. However, we believe that it is extremely unlikely that such an appeal would be successful considering that it is within the law for councils to set nil policies. Furthermore, the two rights specified above are qualified, they are not absolute. Philip Kolvin QC, Chairman of the Institute of Licensing, states : "Where a rational decision has been taken by the licensing authority in accordance with the principle of the statute, it is most unlikely that the decision will be held to have been a disproportionate interference with human rights." (Kolvin, P. (2010) Sex Licensing, The Institute of Licensing, p.60)</p> <p>4. Indeed, before the Policing and Crime Bill became law – enabling local authorities to licence lap dancing clubs as Sexual Entertainment Venues under the LGMPA - the Minister in charge of the Bill made a written statement that the new law, including the provision to set nil policies, was compatible with the Human Rights Act 1998. Thus the power of local authorities to set a nil policy for Sexual Entertainment Venue licenses has been validated in human rights terms.</p> <p>5. Our reasons for pressing for the introduction a nil policy are outlined below and we ask the council to take into account of them in developing its policy concerning the number and location of SEVs.</p> <p>6. We strongly recommend that the council should explicitly include 'the promotion of gender equality' as a specific objective for Sex Establishment licensing in the licensing policy. The Gender Equality Duty 2007 legally requires local authorities to promote equality between women and men in all that they do. The Gender Equality Duty is particularly relevant in relation to the licensing of sex establishments because of the gendered nature of sex establishments like lap dancing clubs, and because of the negative impact that lap dancing clubs have on efforts to promote equality between women and men. The negative implications of lap dancing clubs on women are outlined below:</p>	<p>Comment considered.</p> <p>Comment considered.</p> <p>Comment considered.</p> <p>Comment considered. The council will have due regard to the public sector equality duty which came into effect on 5th April 2011</p>	<p>Addressed in committee report. See also Section 9 of the policy.</p> <p>Addressed in committee report. See also Section 9 of the policy.</p> <p>Addressed in committee report. See also Section 9 of the policy.</p> <p>See paragraph 2.10 which addresses equality issues.</p>
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			<p>(a) SEVs normalise the sexual objectification of women in contradiction to efforts to promote equality between women and men.</p> <p>(b) SEVs are a part of the sex industry and as such are linked with wider systems of prostitution.</p> <p>(c) SEVs increase demand for nearby prostitution services. This places them on a continuum of commercial sexual activity, irrespective of whether this occurs within the club itself.</p> <p>(d) SEVs lead to increased levels of sexual harassment for women in the vicinity. The UK Royal Institute of Town Planning has further drawn attention to concerns regarding the impact of lap dancing clubs on women in the local areas: 'Evidence shows that in certain locations, lap dancing and exotic dancing clubs make women feel threatened or uncomfortable' (Royal Town Planning Institute (2007), Gender and Spatial Planning, Good Practice Note 7,10 December 2007)</p> <p>7. We therefore call on the council to adopt a nil policy in relation to SEVs throughout the city and failing that in Market Ward for the reasons given above. However, if the council chooses not to adopt a nil policy and SEV licences are to be granted and/or renewed, we note that the council has drawn up a list of conditions that "... may be applied to the licensed entertainment venues ...". We recommend that the word 'may' be replaced by the word 'will'. We support this list of conditions (Appendix B of the council's consultation) but have the following comments.</p> <p>Philip Kolvin QC has produced a set of suggested conditions for application to SEV licenses. (Kolvin, P. (2010) Sex Licensing, The Institute of Licensing, p.74) We would like to draw particular attention to the importance of adding the following conditions:</p> <p>Conditions 14-24. Performers should be confined to stage area</p> <p>Condition 19. No contact between performers and audience and a minimum of 1 meter separation between performers and audience. The council's conditions state 80 cm.</p> <p>General conditions. Zero tolerance policy on customers who</p>	<p>The council has considered these conditions in drawing up its policy. Conditions reviewed.</p> <p>The policy contains a condition that performers shall only be in the area marked on the plan. Amended</p>	
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		<p>break rules of conduct. Contravention warrants a lifetime ban from the premises</p> <p>Premises. Prohibition of private booths.</p> <p>General conditions. Prohibition of advertising in public spaces, including on billboards, telephone booth boards, and leafleting.</p> <p>8. Additional recommendations A register to be kept of all staff working each night and valid proof to be held on the premises of the age of each of the performers</p> <p>No fee to be charged by any club to a performer for working in the club</p> <p>Police to be kept informed of any assaults that take place on staff, whether or not the victim wishes to press charges</p> <p>The prohibition of ' smoking areas' at the front of clubs to minimise the potential for harassment of women living, working and passing through the area. All smoking areas must be in private areas away from public spaces.</p> <p>9. We further request that the council monitor the impact of the 'frequency exemption' which was included within the SEV licensing regime.</p> <p>10. This exemption means that establishments hosting lap dancing less than 12 times in a year do not require an SEV licence or even a temporary event notice. We are extremely concerned about this exemption because the council will have no powers to prevent these performances from occurring or place any conditions or controls on them. Yet venues hosting lap dancing less than once a month are less likely to have facilities and procedures in place to protect the safety of performers – such as a separate changing room, CCTV and security. The safety of the performers is thus put at risk by this exemption.</p> <p>We therefore ask the council to monitor performances that are staged under the frequency exemption and to convey your experiences of this back to the Government. This is crucial because the power to amend or repeal the frequency exemption was included in the Policing and Crime Act 2009 in recognition of the fact that the frequency exemption could</p>	<p>Amended</p> <p>Amended</p> <p>Comment considered, however it is difficult to see how this can be monitored if the Council is not required to be informed of such events.</p>	
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			prove problematic for local authorities.		
Request for nil policy	11. 19.4.11	Object campaigns manager	<p>OBJECT strongly recommends introducing a ‘nil’ policy for Sexual Entertainment Venues, as permitted under Schedule 3 of the Local Government (Miscellaneous Provisions) Act (LGMPA)1982 and amended by Section 27 of the Policing and Crime Act (PCA) 2009.</p> <p>The introduction of a nil policy on the granting of SEV licenses is perfectly permissible under the LGMPA (1982), as amended by the PCA (2009). Indeed, the statute specifically contemplates this option. As Philip Kolvin QC, chair of the Institute of Licensing states:</p> <p><i>“...the provision gives the authority a high degree of control, even amounting to an embargo, on sex licences or particular types of sex establishment, within particular localities. The width of the discretion is consolidated by the absence of any appeal against a refusal on this ground.</i></p> <p>The introduction of a nil policy has been adopted by councils across the UK including North Tyneside which intends to refuse licenses to eight currently operating lap dancing clubs, the City of London, and the London Borough of Haringey (to name but a few):</p> <p>In Haringey, Councillor Nilgun Canver states:</p> <p><i>“This new legislation allows us to stop lap dancing and pole dancing clubs from setting up in sensitive areas where they will cause concern. We consider this would apply to every ward and want this to be central to our policy. We are asking for comments from residents, to see if they support this stance.”</i></p> <p>OBJECT is aware that some lap dancing club operators have threatened to appeal against the rejection of a Sexual Entertainment Venue (SEV) licence on the grounds that it violates their human rights under the Human Rights Act 1998 and that the two rights they threaten to invoke are the <i>right to freedom of expression</i> and the <i>protection of property</i>. However, it is extremely unlikely that such an appeal would be successful considering that it is within the law for councils to set nil policies.</p> <p>Furthermore, the two rights specified above are qualified, they are not absolute. Philip Kolvin QC, Chairman of the Institute of Licensing, states:</p> <p><i>“Where a rational decision has been taken by the licensing authority in accordance with the principle of the statute, it is most unlikely that the decision will be held to have been a disproportionate interference with human rights.”</i></p> <p>Indeed, before the Policing and Crime Bill became law –</p>	Comments considered.	Addressed in committee report. See also Section 9 of the policy.

Gender Equality		<p>enabling local authorities to licence lap dancing clubs as Sexual Entertainment Venues under the LGMPA - the Minister of the Crown in charge of the Bill made a written statement that the new law, including the provision to set nil policies, was compatible with the Human Rights Act 1998.</p> <p>Thus the power of local authorities to set a nil policy for Sexual Entertainment Venue licenses has been validated in human rights terms.</p> <p>The reasons for introducing a nil policy are outlined below as factors the Council should take into account in developing policy concerning the number and location of SEVs.</p> <p><u>GENDER EQUALITY</u> OBJECT strongly recommends that you explicitly include ‘the promotion of gender equality’ as a specific objective for Sex Establishment licensing in your licensing policy.</p> <p>The Gender Equality Duty 2007 legally requires local authorities to promote equality between women and men in all that they do. The Gender Equality Duty is particularly relevant in relation to the licensing of sex establishments because of the gendered nature of sex establishments like lap dancing clubs, and because of the negative impact that lap dancing clubs have on efforts to promote equality between women and men. The negative implications of lap dancing clubs on women are outlined below:</p> <p>Lap dancing clubs normalise the sexual objectification of women in contradiction to efforts to promote equality between women and men.</p> <p>The links between objectification, discrimination and violence against women are recognised at the international level by the legally binding United Nations Convention to Eliminate Discrimination Against Women (CEDAW), which has repeatedly called on states – including the British Government - to take action against the objectification of women. Similarly the UK-based End Violence Against Women coalition has called on the UK Government to tackle the sexualisation of women and girls because it provides a ‘conducive context’ for violence against women.</p> <p>Lap dancing clubs promote ‘sex-object’ culture – the mainstreaming of the sex and porn industries.</p> <p>The growth of lap dancing clubs has fed into what OBJECT terms ‘sex-object’ culture – the mainstreaming of the sex and porn industries and the ever increasing sexual objectification of women and girls. With lax licensing laws leading to the number</p>	<p>Comments considered. The council will have due regard to the public sector equality duty which came into force on 5th April 2011.</p>	<p>See paragraph 2.10 which addresses equality issues.</p>
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		<p>of lap dancing clubs doubling over the last five years, and a PR makeover branding lap dancing as glamorous and 'harmless fun', we have found ourselves in a situation in which major retailers sell pole dancing kits along with pink frilly garters and paper money in their 'toys and games section, and leisure centres offer pole dancing lessons to girls as young as twelve. This has led to 25% of teenage girls seeing being a lap dancer as their <i>ideal</i> profession.</p> <p>Lap dancing clubs are a part of the sex industry and as such are linked with wider systems of prostitution</p> <p>Research shows that the structural conditions of lap dancing clubs, where women compete with one another for private dances, lead to some dancers offering sexual services to survive financially, a climate in which, according to an ex-lap dancer: 'No touching, not exposing your genitals, not allowing men to touch you is the exception rather than the rule' Even if a club enforces a no touching rule and there is no sexual contact between dancer and customer, research further shows that strip clubs increase demand for nearby prostitution services. This places lap dancing on a continuum of commercial sexual activity, irrespective of whether this sexual exchange occurs within the club itself.</p> <p>Lap dancing clubs have a negative impact on women's safety in the local vicinity</p> <p>Research undertaken in the London Borough of Camden found a fifty percent increase in sexual assaults in the borough after the rapid expansion of lap dancing clubs. Personal testimony from women who have written to OBJECT reinforces the idea of a link between the proliferation of lap dancing clubs and increased levels of sexual harassment for women in the vicinity:</p> <p>'On separate occasions, I have had men say to me "How much for a dance love? I'll give you £20 to get yours out," they seem to always think that because they can pay to degrade and abuse women inside the club that I am no different'</p> <p>The UK Royal Institute of Town Planning has further drawn attention to concerns regarding the impact of lap dancing clubs on women in the local areas: 'Evidence shows that in certain locations, lap dancing and exotic dancing clubs make women feel threatened or uncomfortable'.</p> <p>Lap dancing clubs have a negative impact on women's safety in wider society</p>		
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Conditions			<p>Lap dancing clubs normalise the representation of women as being always sexually available and this is worrying in light of widespread public opinion that women are in some way responsible for sexual assaults perpetrated against them. The links between the expansion of lap dancing clubs and an increase in the levels of sexual violence have been raised by organisations who work with victims and perpetrators of gender-based violence. For example, as Chair of Rape Crisis Nicole Westmarland reported that lap dancing clubs <i>'both support and are a consequence of sexual violence in society'</i>. This view is reiterated by the Director of the White Ribbon Campaign, an organisation which works with men to end violence against women: <i>'Any expansion of lap dancing clubs feeds an increase in the lack of respect for women'</i>. Furthermore, in response to research it commissioned into the impact of lap dancing clubs on the city, Glasgow City Council stated:</p> <p><i>"Images of women and 'entertainment' which demean and degrade women portraying them as sexual objects plays a part in normalising sexual violence and contributes to male abuse of women being acceptable, tolerated, condoned and excused. Such entertainment runs counter to explicit commitments by a range of private, public and voluntary agencies to promoting womens equality."</i></p> <p>OBJECT calls on the council to adopt a nil policy in relation to SEVs for the reasons given above. However, if you do not adopt a nil policy and SEVs are to be granted and/or renewed, OBJECT strongly recommends that a comprehensive set of standard conditions are applied to such licenses in order to help protect women in this community.</p> <p>Philip Kolvin QC, Chairman of the Institute of Licensing, has produced a set of suggested conditions for application to SEV licenses. OBJECT would like to draw particular attention to the importance of introducing the following conditions:</p> <ol style="list-style-type: none"> 1. No contact between performers and audience and a minimum of 1 meter separation between performers and audience 2. Performers confined to stage area 3. Prevention of fining performers 4. Zero tolerance policy on customers who break rules of conduct. Contravention warrants a lifetime ban from the premises 5. Prohibition of private booths 	<p>Comments considered. Conditions reviewed</p> <p>1. Amended 2. The policy contains a condition that performers shall only be in the area marked on the plan.</p> <p>5.Amended</p>	
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Exemption			<ol style="list-style-type: none"> 6. CCTV coverage of all public areas 7. Controls on exterior advertising and signage 8. Prohibition of advertising in public spaces, including on billboards, telephone booth boards, and leafleting 9. Sex establishments are not to be functionally visible to passers-by on retail thoroughfares or pedestrian routes. Premises should be at basement level or with a main entrance away from such routes. 10. A register to be kept of all staff working each night and valid proof to be held on the premises of the age of each of the performers 11. No fee to be charged by any club to a performer for working in the club 12. Police to be kept informed of any assaults that take place on staff, whether or not the victim wishes to press charges 13. 'No smoking areas' to be allowed at the front of clubs to minimise the potential for harassment of women living, working and passing through the area. All smoking areas must be in private areas away from public spaces 14. No advertising allowed in media that is not exclusively aimed at adults – this would exclude local family newspapers for example. <p>These vital conditions would go some way to protecting women working in lap dancing clubs and women in the wider community.</p> <p>OBJECT further requests that you monitor the impact of the 'frequency exemption' which was included within the SEV licensing regime.</p> <p>As you will be aware, this exemption means that establishments hosting lap dancing less than 12 times in a year do not require an SEV licence or even a temporary event notice. We are extremely concerned about this exemption because you will have no powers to prevent these performances from occurring or place any conditions or controls on them. Yet venues hosting lap dancing less than once a month are less likely to have facilities and procedures in place to protect the safety of performers – such as a separate changing room, CCTV and security. The safety of the performers is thus put at risk by this exemption.</p> <p>OBJECT therefore asks you to attempt to monitor</p>	<p>6. CCTV is included in our conditions</p> <p>10. amended</p> <p>Comment considered, however it is difficult to see how this can be monitored if the Council is not required to be informed of such events.</p>	
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General			<p>performances that are staged under the frequency exemption and to convey your experiences of this back to the Government.</p> <p>This is crucial because the power to amend or repeal the frequency exemption was included in the Policing and Crime Act 2009 in recognition of the fact that the frequency exemption could prove problematic for local authorities.</p> <p>OBJECT recommends that the policy requires members of licensing subcommittees who wish to sit in hearings of relevance to gender (i.e. SEVs; sex establishments and so on) to have completed up to date basic training in gender equality and equality legislation.</p> <p>OBJECT recommends that, in the absence of legal direction to the contrary, the Licensing Committee maintain a register of interested parties in reference to SEVs, sex establishments and so on, who will be informed by the Licensing Committee when applications are received of potential relevance for gender equality. This will ensure that the Council will be seen to fulfil its obligations to operate in a transparent and accountable manner. (This will not be an onerous obligation as relevant applications are estimated to be up to three or four a year, currently).</p> <p>While it is true that both men and women have been active in making representations about the negative impact on society of SEVs, it is also true that the majority of those who reflect and take action on the harm of SEVs are women. This could be because the lived experience of sexual objectification, sexual discrimination, sexual harassment and sexual violence in many women's lives plays a part in the extent to which these issues are given serious consideration and weighed against other interests or values in the context of SEV licensing. Therefore OBJECT requests and recommends that:</p> <ul style="list-style-type: none"> • The working party of officers and councillors is at least equally gender balanced • The policy should make reference to good practice in SEV applications being heard by sub-committees that are at least equally gender balanced. <p>OBJECT would also like to point out the cross party support for tackling the growth of lap dancing clubs.</p>	<p>All councillors receive basic training in equality matters.</p> <p>Comments noted. The methods of advertising applications are set out in the legislation and do not provide for a register of interested parties. However we will inform the public of all applications by means of publishing a register on the business and licensing section of the council's website.</p> <p>Comments considered. Neither legislation nor guidance require gender balanced sub-committees</p> <p>Comments considered.</p>	
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			<p>Home Secretary, Theresa May at the Women’s Aid Conference 2010: <i>“It is only when businesses appreciate their responsibility to end the sexualisation of women that some people will stop treating women like objects. And its only when our communities stand up and say violence against women is unacceptable – that attitudes will really begin to change”.</i></p> <p>The Conservative Violence Against Women and Girls Strategy for London (2010 – 2013): <i>“The proliferation of lap dancing clubs and brothels may further legitimise violence against women and undermine efforts to prevent it... We will ensure that the safety issues presented by lap dancing clubs come under local authority and police scrutiny through JEM. The Mayor will work with local authorities to review the implementation of the new licensing regime under the Policing and Crime Act 2009 to ensure that London leads the way in regulating lap dancing clubs as sexual entertainment venues and giving local people the power to object to lap dancing clubs in their area. We will support boroughs in ensuring that the proliferation of lap dancing clubs is controlled. We will also champion any police operations that target lap dancing clubs to investigate any misconduct or criminal activity.”</i></p> <p>And the Leader of the opposition, Ed Miliband: <i>“We need to think about how our culture treats women more generally. The vital work of organisations such as OBJECT has exposed the ease with which lap dancing clubs have sprung up. In government we took some steps to enforce stricter controls on these establishments, but we were too slow to recognise this problem and act on it. I have already pledged that I want local people to have more power to challenge the licences of these establishments.”</i></p> <p>OBJECT would very much appreciate receiving written reports of any decisions taken pertaining to the recommendations that we have set out in this document.</p>	<p>Comments considered.</p> <p>Comment considered. Reports are made available to the public.</p>	
2.3	12. 21.04.11	Chairman, Brooklands Avenue Area Residents Association.	<p>2.3 The draft says that the Council will decide each application on its individual merits, which is fine, but also states in 1.4 that there should be consistent and transparent decision making. Perhaps section 2.3 or 2.4 can be slightly re-written to make it clear that, unless there are EXCEPTIONAL circumstances, there will be no departure from the policy conditions. Perhaps section 2.4 could begin “We may in exceptional circumstances depart ...” (Compare the wording of</p>	<p>Comment considered. 2.2 and 2.3 relate to general policy which needs to be generally applied as we have to consider each application. 7.3 is specifically for waivers</p>	

			section 7.3)		
4.4			<p>4.4 We think that “occasional use” is defined too generously, and that if establishments are to avoid the need for licensing as “sexual entertainment venues” (as distinct from sex shops and sex cinemas), the threshold should be set at a lower figure than 11 within twelve months. An establishment putting on a monthly performance except in August, say, should not be allowed to escape the need for licensing. “Not more than five occasions within twelve months” would seem more appropriate. We also feel that “no such occasion has lasted longer than 24 hours” is far too generous. A limit of no more than six hours, and preferably no more than four, would be preferable – after all, these exceptional occasions should basically amount to a single show before a single audience, and not what might be called a continuous performance.</p>	<p>The wording in the policy is taken from Paragraph 2A(3) of Schedule 3 and paragraph 2.11 of the Home Office Guidance for SEVs which sets out definition of an ‘infrequent basis’ and premises that are not SEVs.</p>	
4.6			<p>4.6 Unless there are legal reasons for not doing so, we think that in the last line but one, “an organiser may be considered”, should be replaced by “an organiser will be considered”, thereby shifting the onus of control more firmly onto the organiser, where it belongs.</p>	<p>The wording is taken from the Home Office Government Guidance, paragraph 2.10.</p>	
10.4			<p>10.4 In view of the expected low usage of these procedures we do not think it appropriate for officers to grant NEW licences under delegated powers – these should be dealt with by elected Councillors through the Licensing Committee. It might be appropriate to empower officers to renew existing licences in the absence of objections, provided that there have been no incidents of crime or disorder associated with the premises, or their immediate vicinity, during the previous period. Officers may be allowed to grant authority for MINOR changes of an administrative nature – see section 19.2.</p>	<p>Comment considered. Delegation of powers is a matter for the licensing committee to determine. In all cases where objections are received the matters will be dealt with by elected Councillors at a hearing. Paragraph 10.4 only gives delegated powers to officers where no objections have been received.</p>	
Section 11			<p>11.3 This section should also apply to renewals, as do sections 11.1 and 11.2. In particular, the second bullet point should be considered in respect of renewals, even if the particular venue concerned has not presented any problems.</p>	<p>Comment considered.</p>	<p>Amended.</p>
13.4			<p>13.4 We think that early consideration should be given to setting overall maximum figures for Cambridge as a whole. Consideration should also be given to setting lower limits in individual areas, whether the areas of the four Area Committees, wards or otherwise (see also section 9.1).</p>	<p>Comment considered.</p>	<p>Addressed in committee report. See also Section 9 of the policy.</p>

14.3			14.3 "5 days" is a bit too short as a notice period. "5 working days" would be preferable. Please bear in mind that bank holiday periods, especially at Christmas and New Year, are times when Council offices are closed and members of the public may be away from home.	Comment considered.	Amended to five working days
17.3			17.3 A minor point of punctuation: the comma in the last sentence should be removed. With the comma it suggests that "We will not normally attach conditions to a sex establishment licence". The policy implies that at least some standard conditions will always apply to sex establishment licences, and the Licensing Committee should always be free to attach additional conditions having relevance to the individual merits of each application (see section 2.3 and the model conditions).	Comment considered.	Amended.
Conditions			Comments on draft Sex Establishment model licence conditions		
1.1			1.1 We suggest that "before 9.30 am" should be replaced by "before 12 noon" for establishments other than sex shops. Bearing in mind the nature of performances as described in section 4.3 we see no justification for allowing them to take place before lunchtime. If sex shops are permitted to open at 9.30, we also see no justification for extending Friday opening hours to 8 pm, and indeed a closing time earlier than 6 pm for sex shops should be considered.	Comments noted.	
2.9			2.9 It should also not be permissible to have any form of cash dispenser (bank or otherwise) on the premises.	Comment noted.	
3.3			3.3 Unless the point is already covered in the Indecent Displays (Control) Act 1981, we think that a minimum size, both for the notice itself and the lettering of the text, should be stipulated.	3 (5) (d) states the notice must be so situated that no one could reasonably gain access ... without being aware of the notice and it must be easily legible by any person gaining such access	
			Comments on draft Sexual Entertainment Venue model licence conditions		
2			2 We think that CCTV footage should be available for longer than 28 days – 90 days would be preferable, bearing in mind that police or regulatory enquiries may take some time to complete, and the tapes may be needed in subsequent legal proceedings. It may be that the police are satisfied that their powers to seize such tapes and retain them are sufficient with a 28-day limit, but other regulatory bodies may not have similar	31 days is a usual requirement for the police under Licensing Act 2003 premises licence conditions.	Amended to 31 days

			powers.		
General	13. 25.4.11	Councillor and Cambridge resident	<p>1) In general, language which assumes or implies that the policy (in general) is covering services in which the consumers are heterosexual men and the workers are women would, in my view, be best avoided. While this scenario would be expected to constitute the bulk of services covered by this policy, it does not completely cover all potential scenarios (e.g. services provided by men for men, or where women are consumers), and the policy should be written in such a way that it can adapt to other scenarios, or avoid creating nonsense situations when they do arise. In particular, I feel we need to consider situations where the Council could fall foul of equality legislation, or where someone so-minded could use such legislation to place the Council in an odd legal position.</p> <p>For example, Appendix B, condition 23 states: <i>Dancers shall re-dress at the conclusion of the performance and are to remain fully clothed (minimum bikini top and bottom) at all times except when giving a performance.</i></p> <p>Clearly this, if interpreted literally (which someone bringing a hypothetical court case, or at least wishing to present a legal nuisance), can result in an absurd situation if the dancer in question is male.</p>	Comments considered.	
Condition 23					Condition amended.
9.1.4			<p>2) Location of Licensed Premises - I feel that the statement that "we will not normally licence premises that are in close proximity to ... a church or other place of religious worship" is problematic and consideration should be given to whether this should be removed. I believe this provision can be interpreted as providing a veto on licensing of a legal activity to religious groups on the basis of an (assumed) sense of prudishness, or potentially elevating one subjective view of morality over another. This is illiberal, potentially places large areas of the city off-limits, and appears to give special consideration to the sensibilities of certain groups over others on the basis of religion, which I regard as inappropriate.</p>	The Equality Duty does not required public bodies to make services homogeneous or to try to remove or ignore differences between people. See the Government Equalities office publication Equality Act 2010: Public Sector Equality Duty. What do I need to know? A quick start guide for public sector organisations	

Section 9	14. 26.4.11	Secretary, Park Street Residents Association	<p>We were asked as a residents committee to comment on the City Council draft sex establishment licensing policy. As individuals we have mixed feelings which we felt should be more appropriately expressed as individual responses. As a Residents Committee we felt we should respond only in so far as the policy might affect our particular locality.</p> <p>We note (§9) that licenses would not NORMALLY be granted to premises in close proximity to:</p> <ul style="list-style-type: none"> a residential area a school, nursery or any other premises substantially used by or for children under 16 years of age; a park or other recreational areas used by or for children under 16 years of age; a church or other place of religious worship; <p>This surely covers the whole of the Park Street Residents area (and in fact most of Market Ward). We would like confirmation of this and we would also like the policy to be worded more strongly, by removing the word normally. We also ask that the area described as being in "close proximity" should be defined. Our reasons for this are that Market Ward already experiences more disturbance and crime due to antisocial behaviour than any other ward in Cambridge and SEVs are likely to add to this and in addition to lead to increased levels of sexual harassment for women in the vicinity.</p>	<p>Comments noted.</p> <p>Normally allows for each case to be considered on its individual merits rather than being absolute.</p> <p>If an application for a Sex Establishment is made and objections are made, the application will be considered at a hearing of the licensing sub committee and all representations considered. See Section 10.</p>	
Request for nil policy	15. received on 27.4.11, one day after close of consultation	Cambridge Rape Crisis Centre	<p>We strongly recommend that Cambridge City Council introduce a 'nil' policy for Sexual Entertainment Venues, as permitted under Schedule 3 of the Local Government (Miscellaneous Provisions) Act (LGMPA)1982 and amended by Section 27 of the Policing and Crime Act (PCA) 2009.</p> <p>The introduction of a nil policy on the granting of SEV licenses is perfectly permissible under the LGMPA (1982), as amended by the PCA (2009). Indeed, the statute specifically contemplates this option. As Philip Kolvin QC, chair of the Institute of Licensing states: "...the provision gives the authority a high degree of control, even amounting to an embargo, on sex licences or particular types of sex establishment, within particular localities. The width of the</p>	Comments considered.	Addressed in committee report. See also Section 9 of the policy.

		<p><i>discretion is consolidated by the absence of any appeal against a refusal on this ground."</i></p> <p>The introduction of a nil policy is currently being proposed by the London Boroughs of Hackney and Haringey. In the view of Hackney council SEVs:</p> <p><i>"...contradict and undermine its stated aims and exacerbate the challenges it faces in bring about positive, genuinely sustainable characterful and thriving neighbourhoods which support the need and principle of upskilling its population and closing the education gap across its communities.</i></p> <p>In Haringey, Councillor Nilgun Canver states:<i>"This new legislation allows us to stop lap dancing and pole dancing clubs from setting up in sensitive areas where they will cause concern. We consider this would apply to every ward and want this to be central to our policy. We are asking for comments from residents, to see if they support this stance."</i></p> <p>We are aware that some lap dancing club operators have threatened to appeal against the rejection of a Sexual Entertainment Venue (SEV) licence on the grounds that it violates their human rights under the Human Rights Act 1998 and that the two rights they threaten to invoke are the <i>right to freedom of expression</i> and the <i>protection of property</i>. However, it is extremely unlikely that such an appeal would be successful considering that it is within the law for councils to set nil policies.</p> <p>Furthermore, the two rights specified above are qualified, they are not absolute. Philip Kolvin QC, Chairman of the Institute of Licensing, states:</p> <p><i>"Where a rational decision has been taken by the licensing authority in accordance with the principle of the statute, it is most unlikely that the decision will be held to have been a disproportionate interference with human rights."</i></p> <p>Indeed, before the Policing and Crime Bill became law – enabling local authorities to licence lap dancing clubs as Sexual Entertainment Venues under the LGMPA - the Minister of the Crown in charge of the Bill made a written statement that the new law, including the provision to set nil policies, was compatible with the Human Rights Act 1998.</p> <p>Thus the power of local authorities to set a nil policy for Sexual Entertainment Venue licenses has been validated in human rights terms.</p> <p>The reasons for introducing a nil policy are outlined below as factors the City Council should take into account in developing policy concerning the number and location of SEVs.</p>		
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Gender Equality			<p>GENDER EQUALITY We strongly recommend that you explicitly include ‘the promotion of gender equality’ as a specific objective for Sex Establishment licensing in your licensing policy. The Gender Equality Duty 2007 legally requires local authorities to promote equality between women and men in all that they do. The Gender Equality Duty is particularly relevant in relation to the licensing of sex establishments because of the gendered nature of sex establishments like lap dancing clubs, and because of the negative impact that lap dancing clubs have on efforts to promote equality between women and men. The negative implications of lap dancing clubs on women are outlined below: Lap dancing clubs normalise the sexual objectification of women in contradiction to efforts to promote equality between women and men. The links between objectification, discrimination and violence against women are recognised at the international level by the legally binding United Nations Convention to Eliminate Discrimination Against Women (CEDAW), which has repeatedly called on states – including the British Government - to take action against the objectification of women. Similarly the UK-based End Violence Against Women coalition has called on the UK Government to tackle the sexualisation of women and girls because it provides a ‘conducive context’ for violence against women. Lap dancing clubs are a part of the sex industry and as such are linked with wider systems of prostitution Research shows that the structural conditions of lap dancing clubs, where women compete with one another for private dances, lead to some dancers offering sexual services to survive financially, a climate in which, according to an ex-lap dancer: ‘No touching, not exposing your genitals, not allowing men to touch you is the exception rather than the rule.’ Even if a club enforces a no touching rule and there is no sexual contact between dancer and customer, research further shows that strip clubs increase demand for nearby prostitution services. This places lap dancing on a continuum of commercial sexual activity, irrespective of whether this sexual exchange occurs within the club itself. Lap dancing clubs have a negative impact on women’s safety in the local vicinity Research undertaken in the London Borough of Camden found a fifty percent increase in sexual assaults in the borough</p>	<p>Comments considered. The council will have due regard to the public sector equality duty which came into force on 5th April 2011</p>	<p>See paragraph 2.10 which addresses equality issues.</p>
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			<p>after the rapid expansion of lap dancing clubs. Personal testimony from women collected by human rights organisation OBJECT reinforces the idea of a link between the proliferation of lap dancing clubs and increased levels of sexual harassment for women in the vicinity:</p> <p>‘On separate occasions, I have had men say to me “How much for a dance love? I’ll give you £20 to get yours out,” they seem to always think that because they can pay to degrade and abuse women inside the club that I am no different’</p> <p>The UK Royal Institute of Town Planning has further drawn attention to concerns regarding the impact of lap dancing clubs on women in the local areas: ‘Evidence shows that in certain locations, lap dancing and exotic dancing clubs make women feel threatened or uncomfortable’.</p> <p>Lap dancing clubs have a negative impact on women’s safety in wider society</p> <p>Lap dancing clubs normalise the representation of women as being always sexually available and this is worrying in light of widespread public opinion that women are in some way responsible for sexual assaults perpetrated against them. The links between the expansion of lap dancing clubs and an increase in the levels of sexual violence have been raised by organisations who work with victims and perpetrators of gender-based violence. For example, as Chair of Rape Crisis England and Wales Nicole Westmarland reported that lap dancing clubs <i>‘both support and are a consequence of sexual violence in society’</i>. This view is reiterated by the Director of the White Ribbon Campaign, an organisation which works with men to end violence against women: <i>‘Any expansion of lap dancing clubs feeds an increase in the lack of respect for women’</i>.</p> <p>Furthermore, in response to research it commissioned into the impact of lap dancing clubs on the city, Glasgow City Council stated:</p> <p><i>“Images of women and entertainment which demean and degrade women portraying them as sexual objects plays a part in normalising sexual violence and contributes to male abuse of women being acceptable, tolerated, condoned and excused. Such entertainment runs counter to explicit commitments by a range of private, public and voluntary agencies to promoting womens equality.”</i></p>		
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Conditions			<p>We call on Cambridge City Council to adopt a nil policy in relation to SEVs for the reasons given above. However, if you do not adopt a nil policy and SEVs are to be granted and/or renewed, we strongly recommend that a comprehensive set of standard conditions are applied to such licenses in order to help protect women in this community.</p> <p>Philip Kolvin QC, Chairman of the Institute of Licensing, has produced a set of suggested conditions for application to SEV licenses. We would like to draw particular attention to the importance of introducing the following conditions:</p> <ol style="list-style-type: none"> 15. No contact between performers and audience and a minimum of 1 metre separation between performers and audience 16. Performers confined to stage area 17. Prevention of fining performers 18. Zero tolerance policy on customers who break rules of conduct. Contravention warrants a lifetime ban from the premises 19. Prohibition of private booths 20. CCTV coverage of all public areas 21. Controls on exterior advertising and signage 22. Prohibition of advertising in public spaces, including on billboards, telephone booth boards, and leafleting <p><i>We also recommend you include the conditions outlined by the Bristol Fawcett Society:</i></p> <ul style="list-style-type: none"> • A register to be kept of all staff working each night and valid proof to be held on the premises of the age of each of the performers • No fee to be charged by any club to a performer for working in the club • Police to be kept informed of any assaults that take place on staff, whether or not the victim wishes to press charges • No 'smoking areas' to be allowed at the front of clubs to minimise the potential for harrassment of women living, working and passing through the area. All smoking areas must be in private areas away from public spaces. • No advertising allowed in media that is not exclusively aimed at adults – this would exclude local family newspapers for example. <p>These vital conditions would go some way to protecting women working in lap dancing clubs and women in the wider community.</p>	<p>Comments considered. Conditions reviewed.</p> <p>Amended</p> <p>The policy contains a condition that performers shall only be in the area marked on the plan.</p> <p>Amended CCTV is included in our conditions</p> <p>Amended</p>	
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Exemption			<p>We further request that you monitor the impact of the 'frequency exemption' which was included within the SEV licensing regime.</p> <p>As you will be aware, this exemption means that establishments hosting lap dancing less than 12 times in a year do not require an SEV licence or even a temporary event notice. We are extremely concerned about this exemption because you will have no powers to prevent these performances from occurring in Cambridge or place any conditions or controls on them. Yet venues hosting lap dancing less than once a month are less likely to have facilities and procedures in place to protect the safety of performers – such as a separate changing room, CCTV and security. The safety of the performers is thus put at risk by this exemption. We therefore ask you to attempt to monitor performances that are staged under the frequency exemption and to convey your experiences of this back to the Government. This is crucial because the power to amend or repeal the frequency exemption was included in the Policing and Crime Act 2009 in recognition of the fact that the frequency exemption could prove problematic for local authorities.</p>	<p>Comment considered, however it is difficult to see how this can be monitored if the Council is not required to be informed of such events.</p>	
General			<p>We recommend that the Sexual Establishment Licensing Policy requires members of licensing subcommittees who wish to sit in hearings of relevance to gender (i.e. SEVs; sex establishments and so on) to have completed up to date basic training in gender equality and equality legislation.</p> <p>We recommend that, in the absence of legal direction to the contrary, the Licensing Committee maintain a register of interested parties in reference to SEVs, sex establishments and so on, who will be informed by the Licensing Committee when applications are received of potential relevance for gender equality. This will ensure that the Council will be seen to fulfil its obligations to operate in a transparent and accountable manner. (This will not be an onerous obligation as relevant applications are estimated to be around one a year, currently).</p> <p>While it is true that both men and women have been active in making representations about the negative impact on society of SEVs, it is also true that the majority of those who reflect and take action on the harm of SEVs are women. This could be because the lived experience of sexual objectification, sexual discrimination, sexual harassment and sexual violence</p>	<p>All councillors receive basic training in such matters.</p> <p>Comments noted. The methods of advertising applications are set out in the legislation and do not provide for a register of interested parties. However we will inform the public of all applications by means of publishing a register on the business and licensing section of our website.</p>	

			<p>in many womens lives plays a part in the extent to which these issues are given serious consideration and weighed against other interests or values in the context of SEV licensing. Therefore we request and recommend that:</p> <ul style="list-style-type: none"> • The working party of officers and councillors is at least equally gender balanced • The policy should make reference to good practice in SEV applications being heard by sub-committees that are at least equally gender balanced. <p>We would very much appreciate receiving written reports of any decisions taken pertaining to the recommendations that we have set out in this document.</p>	<p>Comments considered. Neither legislation nor guidance require gender balanced sub-committees</p> <p>Comment considered. Reports are being made available to the public on the Council's website.</p>	
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M/licence/ sex establishments/schedule of responses to licensing policy