LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)ACT 1982

Part II Schedule 3
SEXUAL ENTERTAINMENT VENUE

Bristol City Council
Licensing Team (Temple Street), PO Box 3176, Bristol BS3 9FS

Name, (registered) address, telephone number and email (where relevant) of holder of licence:
Nightlife Bristol Ltd, Murrills House, 48 East Street, Portchester, Fareham, PO16 9XS

Address of premises:
Urban Tiger
4 Broad Quay
Bristol,
BS1 4DA

The licence is granted for one year commencing on: 1 October 2019 (to expire 30 September 2020)

Premises Licence Number: 19/04693/SEV

The licence is granted on the terms, conditions and restrictions set out in the Schedule of Conditions.

Description of Permitted Relevant Entertainment
(Relevant entertainment has the meaning given in the Act and Permitted Relevant Entertainment has the meaning given in regulations referred to in the Schedule of Conditions)

(i) Full nude lapdancing, full nude striptease, full nude live stage shows and full nude poledancing.
(ii) Male and female performers involving full or partial nudity.

SCHEDULE OF CONDITIONS
Save where they have been expressly excluded or varied, as particularised in paragraph 1 of this schedule, the licence is granted subject to the terms, conditions and restrictions prescribed by the Authority in regulations ("Standard Conditions") and also to any additional terms, conditions and restrictions set out in paragraph 2 of this schedule.

Paragraph 1 – Exclusion and variation of Standard Conditions.

1.1 Standard Conditions that have been excluded: None

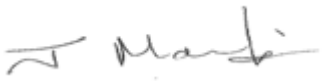
1.2 Standard conditions that have been varied: None

Paragraph 2 – Additional terms, conditions and restrictions;
2.1 Relevant entertainment may only take place on the following days and times:
Monday to Sunday 21.00 – 04.30 the following day

2.2 CCTV.
(i) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours
(ii) If relevant entertainment is specifically provided for an audience of one (for example what is sometimes referred to as a private dance) the camera must be positioned and operated so as to ensure that both parties are clearly identifiable from the captured images.
(iii) All monitors shall be positioned so that customers may not observe images.
(iv) That the CCTV system be modernised/upgraded in accordance with the requirements of Bristol City Council and the Police by end of November 2013.

2.3 Relevant entertainment shall not include any word, action or imagery that endorses or depicts, or might reasonably be taken as endorsing or depicting, or be promoted as including, any conduct which, if taking place in reality, would amount to a criminal offence; for the avoidance of doubt this imposes a prohibition on any performer being clothed in a school uniform or otherwise attired or presented as being a school student or a child or being promoted as such in any media.

Signed:



Jonathan Martin
Regulatory Compliance Unit manager

Enclosures

City Council of Bristol (The Council)
Regulations prescribing standard conditions applicable to licences for sexual entertainment venues

Made on the; 25 day of February 2011.
Coming into force on the: 1 day of July 2011

1. The Council makes these regulations pursuant to its power under paragraph 13 of the Third Schedule to the Local Government (Miscellaneous Provisions) Act 1982 ("The Act").
2. In these conditions
'Audience'; 'Sexual Entertainment Venue'; and 'Relevant Entertainment'; each have the meaning given in the Act .
'Performer' means any individual who performs or actively participates in Relevant Entertainment (whether or not they are an employee) and "Performance" and "Performing" shall be construed accordingly.
'Permitted Relevant Entertainment' means entertainment falling within the description specified on the licence as being permitted at the licensed premises
'Relevant Offence' means
1. An offence under the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3.
2. A sexual offence, being an offence listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003, other than the offence mentioned in paragraph 95
(an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts));
3. Every Sexual Entertainment Venue Licence granted, renewed or transferred by the Council shall be presumed to have been so granted, renewed or transferred subject to the standard conditions contained in the schedule unless they have been expressly excluded or varied by the Council.

Schedule

A. Only Permitted Relevant Entertainment is authorised under this licence.

B. Permitted relevant entertainment may only take place on those parts of the premises as are identified on the plan annexed to the licence.

C. Relevant entertainment shall not occur in private rooms, cubicles or other enclosed areas. For these purposes a room, cubicle or other area is private unless it is completely open on one side so that activities within may be supervised from the exterior.

D. The Council shall be provided with a Code of Conduct for Performers and Rules to be observed by members of the audience.

E. The Code and Rules referred to in Condition D above shall be brought to the attention of all performers and members of the audience and reasonable measures shall be taken to ensure that they are complied with.

F. 1. At no time during the performance may there be any contact between a performer and a customer. Prior to the performance or at the completion of the performance there may be hand-to-hand payment for the performance.
2. At no time except during the performance may a performer or employee be unclothed. Immediately following the performance, the performer must dress, so that (for example) the performer may not be unclothed when seeking payment for a performance.
3. No performer or employee may at any time (and whether or not performing):
    a. sit or lie on the lap or any other part of any customer;
    b. kiss, stroke, fondle, caress or embrace any customer;
    c. engage in any other contact of a sexual nature with any customer.
4. In these conditions:
    a. “customer” means any person visiting the premises other than employees or performers, whether or not they have paid for or intend to pay for services provided;
    b. “employee” means any person working at the venue whether under a contract of employment or some other contract;
    c. “unclothed” means when breasts and/or genitals and/or anus are fully or partially uncovered.
    d. “other contact of a sexual nature” means contact which must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating the customer.

G. As soon as is reasonably practicable, and in any event within seven days, the Council shall be notified of any material change in the management structure, where a material change means one which is at variance with the information provided in the most recent application for a license, or its renewal or variation as the case may be;

H. No person shall be employed or shall perform at the premises who has unspent convictions for any Relevant Offence;

I. Copies of the license and the conditions applicable to it shall be displayed on the premises in a place where it is likely to be seen by every member of the audience;

J. The licensee shall retain control over all parts of the licensed premises when used for Relevant Entertainment;

K. Customers shall be made aware of any charge for admission to the premises, and of any further charges that may be levied in connection with the provision of Relevant Entertainment, before being admitted to the premises;

L. There shall be no display either upon or outside of the licensed premises (in such a way that it is visible on the exterior) of photographs or other images which indicate or suggest that Relevant Entertainment is provided upon the premises, with the exception of any registered trade mark, trading name or trading symbol that has been provided to the Council in connection with the most recent application for licence, its renewal or variation as the case may be;

M. The licensee shall ensure that no area where Relevant Entertainment may take place can be viewed from outside the licensed premises at any time;

N. The licensed premises shall be sufficiently illuminated to ensure that usable CCTV images can be captured;

O.1. Performers shall not be permitted to share the following facilities with any members of the audience and suitable separate provision must be made;

(i) water closet;

(ii) washing facilities;

2. Performers and Audience shall not be permitted to share any smoking area

3. No Member of the audience shall be permitted to enter any changing area used by Performers

P. All external doors affording access to the licensed premises shall be fitted with a device to provide for their automatic closure and such device shall be maintained in good working order;

Q. The availability of relevant entertainment shall not be marketed or advertised in any of the following ways:-

(a) by means of personal solicitation in the locality of the licensed premises;

(b) by means of leafleting in the locality;

(c) by means of externally displayed advertisement (such as on billboards) in any part of the Council's administrative area

R. The following shall be made available without charge to performers and the Audience:

Literature and contact names and telephone numbers of organisations that provide advice and counselling on matters relating to:-

(i) sexual problems;

(ii) family planning;

(iii) sexually transmitted diseases

(iv) rape and sexual assault.

S. (i) No telephone number, residential address, email address or other information that may facilitate further contact between performers and members of the Audience is passed from audience to performer, or vice versa; and

(ii) This prohibition shall be brought to the attention of all members of the Audience

T. (i) Performers may perform only in accordance with written contracts, which define their rights and obligations, including terms as to the nature of their performance and payment. No deduction shall be made from such payment unless permitted by the contract, and no deduction by way of penalty shall be permitted;

(ii) No relevant entertainment shall be provided by any performer unless sufficient checks have been made of documents evidencing the performer's age, identity and right to work in the United Kingdom;

(iii) Copies of all documents referred to in (i) and (ii) above shall be retained for not less than 12 months after the last provision of Relevant Entertainment by the said Performer and shall be produced to an authorised officer of the Council or a Constable upon request at any reasonable time.

U. The licensee shall exercise all due diligence and take all reasonable steps to ensure that the terms and conditions imposed on the licence are observed and complied with at all times.

Urban Tiger

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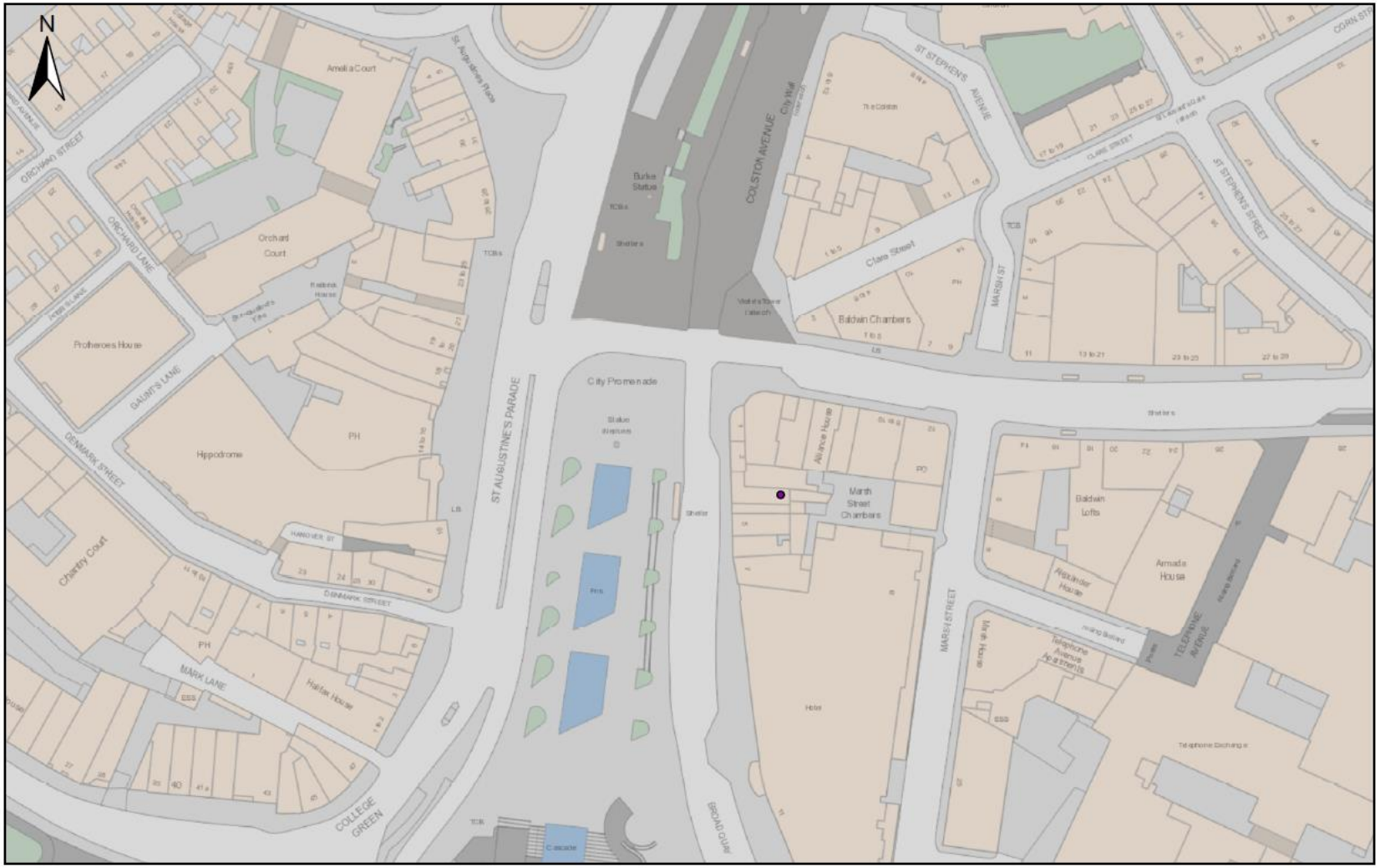

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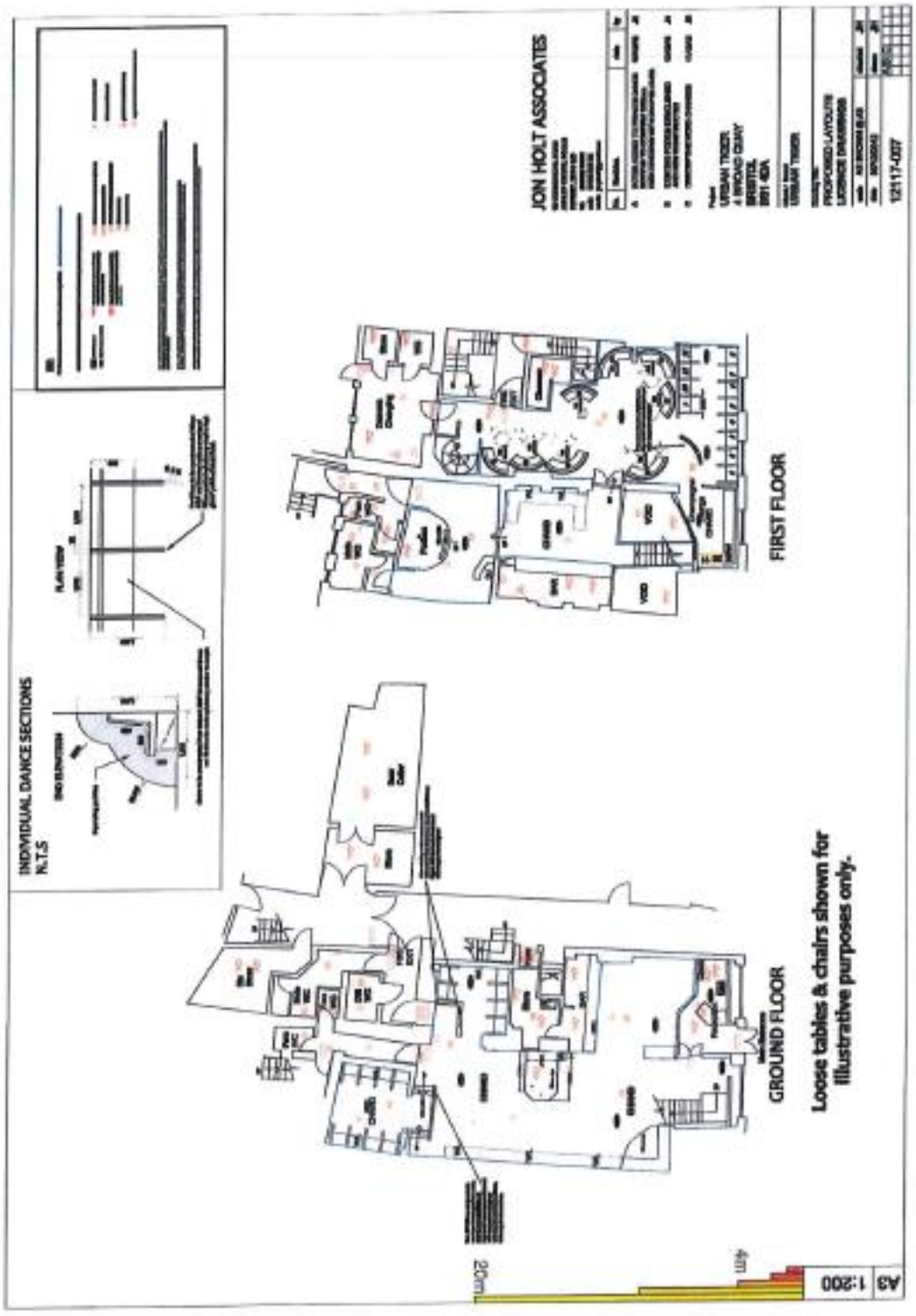
Appendix B – Locality Map

Appendix C – Plan of premises



Appendix D – Applicant logo

Appendix E – House rules

Urban Tiger
Gentlemens Club

HOUSE RULES

We hope you have a great experience here at Urban Tiger but politely remind you of some house rules ...

Please beware that **CCTV cameras** are installed throughout the club and private dance areas for the **protection of both staff and customers**.

The exchange of telephone numbers, email addresses or other personal details between performers and customers is **strictly prohibited**.

Phones must not be used inside the club but they may be used outside. On arrival you will be asked to switch your phone off whilst inside the premises. Anybody found to be ignoring this rule will be asked to **leave the club immediately**.

At **no time** during the performance of a lap dance may there be any contact between a performer and customer. Any customer attempting to make physical contact with performers will be **asked to leave the premises**.

Random search policies operate in this club. Please do not leave any **belongings unattended**.

Although we are open till 4am there is no re entry after 3am.
This includes customers wishing to smoke and use cash machines.

Performers must be **treated with respect** at all times. Management, Security and Performers reserve the right to stop a dance at anytime or **ask you to leave** the premises if they feel your **behaviour is inconsiderate**.

Any person found either possessing, **using or distributing any type of drug** will be banned from these premises and **reported to the police**.

Appendix F – code of conduct

Code Of Conduct For Performers/Performers Contract for Urban Tiger & Central Chambers.

- All performers must have a valid form of photo ID that management shall take a copy of to keep with all dancer contracts to prove their identity and age. All non UK residents will need to produce documentation that proves their eligibility to work in the UK. Only a UK driving licence or passport will be classed as suitable photographic ID. A copy of ID and documents shall be retained for no less than 12 months after the last provision of relevant entertainment by the said performer and produced to an authorised officer of the council or a constable upon request.
- No person shall be employed or shall perform at the premises that have unspent convictions for any relevant offence. You will be required to have a CRB check done to prove this.
- Performers may perform only in accordance with written contacts, which define their rights and obligations, including terms as to the nature of their performance and payment.
- Performers will be required to pay a fee to club each evening that they work. The maximum house fee for each night is: Tue £30, Wed £40, Thur £60, Fri £100 & Sat £120. A 4 week notice will be issued for any increase in house fees or changes to club prices.
- Performers will receive payment from customers for each dance that they perform and work as a self-employed contractor. Dance prices are set and can not be altered by the performer at any time. Dances are either topless or fully nude must be at least 3 minutes long. Topless dances are £10 and a full nude dance is £20. Payment is hand to hand payment. Customers are permitted to hand the performer cash or dance chips by way of hand to hand payment prior to the performance or at the completion of the performance.
- Performers are permitted to inform management or security of their arrival at the start of the shift and make sure they are signed in for every shift. Dancers must inform management when they leave the premises so that management can sign them out. Security will escort any performer to cars, car parks or taxi's at the end of the shift if requested for your own safety.
- When requested, performers may be required to do a pole dance on the stage area. The first song is performed clothed and the end of the second song is topless.
- Good conduct must be maintained at all times, and all steps must be taken to avoid injury to persons or damage to property. All relevant health and safety and fire procedures for the venue must be followed.
- Audience participation is strictly prohibited and customers must remain clothed and seated at all times during the performance.
- Customers must adhere to the clubs strict no touching policy. Performers are required to report all incidents as soon as reasonably practical. Any customer who ignores this policy will be removed from the club immediately. All incidents must be reported to club management and/or security. Should a customer touch or attempt to touch the performer must with draw immediately and report the incident. Management and security reserve the right to stop a dance at anytime if they feel the customers behaviour is inconsiderate or poses a potential risk of breaking the venues licence conditions.

- Performance off stage is only permitted when customers are seated in the designated dance area. Relevant entrainment may only take place in designated dance areas as identified on the plan annexed to the venues licence.

- No sex acts shall take place or contact of a sexual nature which must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating the customer. There shall be no contact between the customer/dancer and between the dancer/customer at any time during the performance. No performer will sit or lie on the lap or any other part of the customer. Dancers are not permitted to fondle, kiss, caress or embrace any customer. Performers may blow the customer a kiss at the end of a dance or hand to hand contact is acceptable such as a hand shake or a Hi Five at the end of the dance.
- CCTV cameras are installed throughout the venue and private dance areas for the protection of customers and performers. CCTV shall be retained for a minimum of 31 days and made available to an authorised officer of the police or licensing authority upon request. This includes dance area footage.
- Husbands, boyfriends, wives, girlfriends and friends of dancers are not permitted on the premises at any time except with prior permission of the management. Performers are not to permitted to visit the venue off duty with out prior permission from the management.
- When not performing, performers must not enter the other licensed areas in a state of undress. Performers can only be fully nude in designated dance areas during a performance.
- Performers must not divulge telephone numbers, residential address, email address or other information that may facilitate further contact between customers and dancers or vice versa.
- Performers must only use the staff designated toilets and changing area provided. They are not permitted to share toilets or washing facilities will members of the public.
- Performers and customers are not permitted to share any smoking area.
- Any performer that appears to be drunk or under the influence of drugs will be asked to leave the premises immediately. The company operates a zero tolerance to drugs and any dancer found to be using or distributing any form of drugs will be instantly dismissed and reported to the police.
- Random search policies are carried out by management and security.
- Literature, contact names and numbers of organisations that provide advice and counselling on matters relating to: sexual problems, family planning, sexually transmitted diseases, rape and sexual assaults are made available free of charge to every performer. Information and literature can be found in the performers changing rooms.
- **All dancers are self employed dancers and are responsible for their own PAYE and Tax.**

Please be aware that the majority of these restrictions are laid down as part of the conditions of the clubs SEV licence and are therefore not negotiable in any way, shape or form. If any dancer is unsure of any of these procedures or licence conditions, please speak to a member of management immediately for clarification. There is a copy of the new SEV licence in the changing room which must be read and understood. Every performer shall exercise all due diligence and take all reasonable steps to ensure that the terms and conditions imposed on the venues licence are observed and complied with at all times.

A copy of this contract has to be kept by Urban Tiger/Central Chambers for 12 months after the last provision of entertainment by the dancer and produced to any council official or police officer on request.

I have read and understand the above conditions and sign below to accept these conditions

Print Name _____ Signature_____

Date of Birth _____

Tel. Number _____

Address _____

_____

_____

Date Commenced_____ Date Contract Ended_____

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Objection to application for a Sexual Entertainment Venue

Information in this table is to be kept strictly confidential	

Detail of application	
Name of applicant:	Nightlife Bristol Limited, Urban Tiger (Reference: 20/03322/SEV)
Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25th August 2020
Date by which objections must be received:	22nd September 2020

Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.

xxxxxxxxxxxxxx object to the renewal of the SEV licence to the above applicant on a number of grounds including the location of the applicant's premises, the Council's duties under Equalities Law and its obligations under Crime and Disorder legislation.

We do not wish this objection to be summarised as we would prefer the Committee to read a copy of it in its entirety.

Why we ask you to refuse the application

<u>Safety and Equality of women in Bristol</u>

1. As a signatory of the European Charter for Equality of Women and Men in Local Life, Bristol City Council must recognise that "gender-based violence arises from the idea, on the part of the perpetrator, of the superiority of one sex over the other in... an unequal relationship of power" (Article 22.2). SEVs reflect and contribute to a popular culture in which women's bodies are objectified and seen as available for men's use, while the opposite is not the case. This culture perpetuates the notion of "the superiority of one sex

over the other" as identified in the Charter[i]. The Council's duty under the Equality Act 2010 and the Public Sector Equality Duty (PSED) includes the need to have due regard to the need to eliminate discrimination and harassment of women and advance equality of opportunity for women, as well as foster good relations between men and women. The claims made by Sexual Entertainment Venues in Bristol to be champions of equality are not only extraordinary but irrelevant to SEV applications with regard to PSED. It is the local authority which must meet the requirements of the Public Sector Equality Duty.

2. We assert, based on the knowledge and expertise of our member organisations and our Safety Task Group, that the presence and operation of this club promotes discrimination against women and harassment of women, stands in the way of the advancement of equal opportunities for women, and fosters bad relations between men and women. All of these effects are the very opposite of what Bristol City Council is required to aim for under our equality laws. Urban Tiger promotes harmful attitudes towards women as a group who share the legally protected characteristic of the female sex. Research demonstrates that the sexual objectification of women, which is encouraged and practised within SEVs in the context of our sexist society, acts to reinforce gender inequality and the attitudes that support and encourage violence against women, which is in itself a cause and consequence of gender inequality. Gender inequality and violence against women are "two sides of the same coin".[ii]

3. Harmful social norms and practices that permit some women to make a living while disadvantaging women as a group remain harmful. Our reasons for requesting a refusal of this licence are based on the impact upon **all** women and girls in Bristol and who number over 230,000[iii]. By the club's own account, consideration of the work created for the women who currently perform in Urban Tiger and who may, by their representations, be said to benefit (in the short term) cannot by any measure compare with the negative impact upon all women and girls. All of us want to see all women employed in good jobs that suit their circumstances

4. It is not "sex" that is the problem. It is the fact that in our society men as a class are dominant and more powerful than women, and women's sexuality is seen as existing for, and being in the service of, men's desires to do what they want when they want. This self-proclaimed "Gentlemen's Club" quite deliberately reinforces this message and perpetuates the financial and social inequality of women compared to men in our society. It is entirely irrelevant whether there are also men stripping or showing off their bodies to customers in the premises: research shows us that it is only the sexual objectification of women that is related to gender inequality and to violence against women. The context is our unequal society.

5. The continued licensing of SEVs, in this case specifically Urban Tiger, by Bristol City Council means that the Council fails to meet obligations under the Charter and fails to engage with the purpose of our national equalities legislation. This diminishes the status of Bristol as a modern European City where both women and men should be able to lead fulfilled lives in a safe and fair society. Bristol as a city is committed to the eradication of violence and abuse of women and girls. In 2012 the city was awarded White Ribbon City status which requires cities to work towards a status of zero SEVs. Bristol City Council has been supportive of the xxxxxxxxxxxxxxxx Bristol Zero Tolerance initiative and both previous and current Mayors

have also pledged their support. The Bristol Zero Tolerance initiative has sought to address all forms of gender-based violence, abuse, harassment and exploitation in the city and achieving a nil cap policy on SEVs is a part of this work. There are other current approaches to addressing violence and abuse in the city including public health campaigns, school campaigns and university campaigns all dedicated to changing social norms around gender inequality, attitudes to women and the acceptability of violence towards women. The Bristol Against Violence and Abuse Strategy 2015-2020 led by the Council includes an objective to reduce the opportunities for sexual exploitation and negative perceptions of women connected to SEVs.[iv] These projects are supported by or run by Bristol City Council. I believe that the continued licensing of SEVs directly undermines this work and is not compatible with the wider outcomes and aims that the city hopes to achieve in terms of gender equality and gender-based violence. We have numerous local policies and strategies which highlight the importance of equality, safety and addressing gender-based violence, however, there are no local policies which see the presence of SEVs in the city as positive.

6. We know from research that the sexual objectification of women is a feature of the link between men's alcohol use and their perpetration of sexual violence. This research was published in 2014, long after parliament had clamped down on SEVs and passed the responsibility for whether they should be present in our cities to local councils. SEVs trade in sexual objectification of women in an environment where alcohol is free-flowing. It is obvious to us as experts in women's inequality that the presence of this SEV in Bristol clearly impacts negatively on the safety as well as the hopes for equality of women and girls. A local authority which grants the licensing of SEVs contributes to the normalisation of exploitation and gender-based violence which initiatives such as Bristol Zero Tolerance are trying to combat.

7. Urban Tiger is in the central Cumulative Impact Zone. Bristol's Statement of Licensing Policy states that this area "has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety". In 2017 Avon and Somerset Police submitted a report that detailed a number of reports of crime and disorder directly related to the premises and also reported 40 sexual offences within the area in a 12-month period. How many sexual crimes are too many? That year, representatives for the club tried to whittle this number down and tried to downplay our police's view, but in previous years before the police had begun to object, you were asked to pay attention to the police's view as "your experts on crime and disorder". Whether you believe that these sexual offences are directly related to the presence of the club, or that the club happens coincidentally to be situated in a hotspot for violent and sexual crimes against women, it is clear that this is an inappropriate location for a SEV.

8. Bristol women themselves express concern over the levels of harassment that are linked with having an SEV in a central location in Bristol. The BWV Womanifesto makes clear its position on SEVs. Similar views can be heard and read in diverse contexts expressed by the diverse women of Bristol.

9. A number of local authorities in the UK have stopped granting licenses to SEVs. They have implemented their policy approaches to achieving women's equality, which includes acknowledging and acting on the links between SEVs and gender-based violence and

inequality.

10. What we are concerned with is the very fact of the presence of the venue in our historic city centre, and the impact of the activities that go on inside its doors. We are concerned with gender equality and our organization was set up by the Mayor to combat gender inequality.

The sub-committee has a clearly-granted ability or prerogative to make this decision

11. The sub-committee are the representatives of the people, and guidance from the Home Office 2010 states that the purpose of the legislation is "to give local people a greater say over the number and location of lap dancing clubs [SEVs] in their area".

12. **Case law notes that licensing authorities can have a 'fresh look' at applications for renewal of an SEV license and may refuse to renew a licence even if there is no change in circumstances at all. Refusal to renew is also not a breach of human rights**

13. In practice, the sub-committee considering this application for renewal will be differently constituted to the first sub-committee that granted the application when the new legislation came into force a number of years ago. Meanwhile, further evidence has emerged confirming the links between sexual objectification, violence and inequality. With every new residential development and every new policy that puts equality at the heart of what Bristol strives for, the case for refusal has grown stronger and case law sees that a different decision can be made based on such "consideration of dynamic matters".

Unsuitability of premises and location

14. The prime city centre location of Urban Tiger is a constant reminder, to women and men, girls and boys, of Bristol's tolerance of sexism and inequality in the city. The proximity to bus stops, residences and public buildings, such as churches, as well as public perception has not to date been taken appropriately into consideration with the location of Urban Tiger in Bristol City Centre. It's very clear from the City Council's own policy that the location is unsuitable given the grounds that sub-committees are directed to take into account when deciding whether to allow an SEV to operate.

15. The Council have received various objections in the past to the renewal of SEV licenses including details of sexual harassment that some women have experienced in the vicinity of SEVs and specifically that of Urban Tiger. Women also report feeling unsafe, unwelcome and intimidated when near these establishments. As Philip Kolvin QC notes, "the fears of women using the vicinity of premises may be reflected in decisions as to the location of such facilities… These concerns are directly reflected in the Royal Town Planning Institute's Gender and Spatial Planning Good Practice Note, which states: '…ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing clubs make women feel threatened or uncomfortable.'"[v]

16. Residential Character: The premises are located directly adjacent to hundreds of residential apartments, and Bristol's Development Framework Core Strategy promises further residential development in the city centre including 7400 new homes in the city centre alone. This by itself is grounds to refuse this application.

17. Character of the locality including leisure and family friendly facilities: People visiting Baldwin Street, the Hippodrome, and other shops and businesses may have to pass Urban Tiger. The premises are not "discreetly located" but are close to family-friendly restaurants, shops, cafes and on a newly updated public transport route that are accessed by a huge proportion of people including children. The historic area is also a "first impression" for many visiting the city. Based on these venues, the street is a highly inappropriate location for a venue that perpetuates inequality.

18. Further, Bristol women have expressed concern over the levels of harassment that are linked with having an SEV in a central location in Bristol and they have made it clear that they avoid the area.

On all these grounds we object to this application.

[i] xxxxxxxxxxxxxxxxxxx, Sexual Entertainment Venue Policy Statement, Licensing Special Purposes Sub Committee, 6th November 2014

[ii] https://www.unwomen.org/en/news/stories/2017/10/speech-ed-phumzile-five-days-of-violence-prevention-conference

[iii]https://www.bristol.gov.uk/documents/20182/33904/Population+of+Bristol+August+2019.pdf/96d16ba4-49f6-c535-ba7d-a11f24b8d3b3

[iv] https://www.bava.org.uk/wp-content/uploads/Bristol-Against-Violence-and-Abuse-Strategy-2015-2020.pdf

[v] Kolvin, P. (2010) Sex Licensing.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA LETTER AT THE LICENSING OFFICE ON: 21 Sept 2020

RE: Urban Tiger

Details of my objection:
I object to this sexual entertainment venue mainly because by its very nature, it devalues women into being commodities that can be bought. Just like slaves. The devaluation of women leads to an assumption that their bodies are there for the measure of those that pay to see them and command them to dance etc. There is no equality in this tribulation. You are entitled to pay regards to objections from people much as myself but sometimes I feel you are guided more by BCC's budget than you are the obligations of the city. Bristol is a 'White Ribbon' city but BCC seems to ignore that this even exists. It is also supposed to be a city of equality but by continuing to grant licences for SEVs, it doesn't even pay up service to this.
My grounds for objecting are:

1. That the City Centre now more than ever is a RESIDENTIAL AREA. I live xxxxx from this venue xxxxxxxxxx. Further along is another apartment block. More on Baldwin St. Student accommodation everywhere you look. Have you looked? Do any of you actually look at the area?
2. I am very concerned about DOMESTIC VIOLENCE. Studies have shown that by devaluating women to the extent that they can be growled at by man who pay to watch them naked in sexual display have gone on to commit violent acts on women.
   The experts know this.
   The police know this.
   And yet, the committee continue to commend it by granting licence renewals.
   One can only wonder why.
   Please exercise your own prerogative, not that of those who have gone before you and do the right thing.
   Please do not renew this licence.

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Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25th August 2020
Date by which objections must be received:	22nd September 2020

Please enter the detail of your objection below.

I would like my objection to be shown <u>in full</u> to the committee please. I would like to retain my anonymity.

I am objecting on the following grounds:

1 Suitability of management to adhere to licence conditions

The club's SEV licence has previously been granted from 9pm to 4.30am but it is open from 10am. The website advertises "Afternoon Tease" hen parties with waiter service provided by a "butler in the buff".

The "life drawing" classes that the club offers to stag parties are a way of circumventing the SEV licence by offering nude entertainment under a euphemism *("if you're looking for a stag party that's a little a different from the rest but still includes a naked women [sic] then here it is!").*

It is repeatedly claimed that the club does not operate as an SEV as part of the day time economy yet this demonstrates that it is clearly offering sex entertainment as part of its daytime business.

2 Inappropriate location

I would like to draw the licensing committee's attention to the case of Selfridges, the

department store, who employed Philip Kolvin in September 2020, to fight the licence application for a lap dancing club that had applied to open opposite the store's entrance.

Mr Kolvin stated that:

"This proposal for a lap dancing club is entirely inimical to the character of this area. It has no place here... This is not [an application] for a corner store.
"It's a 6am sexual entertainment venue licence and nightclub in a highly sensitive location."

In arguing the case **for** the licence application, I would like to understand how it is inappropriate for a lap dancing club to open opposite a department store but, in Bristol, it is entirely appropriate for it to open in an area that is:

- close to several extremely busy bus stops that are used by commuters and schoolchildren.
- opposite the city's main theatre.
- heavily residential with numerous apartment blocks surrounding it. The redevelopment of Electricity House has added another 85 apartments to the area and the area has many student apartments.

As noted under section 1, the club is in operation from 10am and is offering sex entertainment before its SEV licence hours of 9pm onwards.

It is hard to think of a more inappropriate location for an SEV than that of Urban Tiger. Its prominent location impacts on the image that Bristol sends out to both residents and visitors alike. It sends out the overt message that, despite its White Ribbon and Zero Tolerance status, Bristol City Council is content to licence an activity that objectifies women and that has been linked to violence against women and girls. It implies that the city council, despite its commitments and aspirations, does not value women and girls as it should.

In addition to this message, there is also the tangible feeling of threat and intimidation that women and girls feel at having to walk past these establishments – when open: from the men going in and out of the club, and when shut: knowing what the places are there for and how insignificant the city council deems the impact on women.

The licensing sub-committee recognises that the club is problematic and that's why it limits its SEV hours but this does not mitigate the impact on women who live, work and go out in the city after 9pm. Women do not observe a curfew between the hours of 9pm and 4.30am. It is an incongruous position to take to recognise that a venue is problematic and at the same time consider it acceptable for it to open after an arbitrary time. The Royal Town Planning Institute's Good Practice Note 7 on 'Gender and Spatial Planning' advised that: "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 clubs make women feel threatened or uncomfortable."[1]

3 Incompatibility with Bristol's commitment to being a 'White Ribbon city'

[1] https://oxfamilibrary.openrepository.com/bitstream/handle/10546/112350/gender-spatial-planning-RTPI-201107-en.pdf;jsessionid=478CDE10A5D16B2872AD4F8EB62DAEF5?sequence=1

Sex entertainment venues contribute to negative attitudes against women and girls.

Numerous studies have established that, when a man views a woman as a sexual object, he sees her as less than fully human. There is a wide range of work showing that objectified women are also perceived as less competent. Research has shown that, when men view sexualised pictures of women, they subsequently view a female experimenter as doing a worse job[2]. In other words, men "carry over" their views of the sexualised women to another woman who was not scantily dressed. In the 'real world', consider the impact on a man who has been to a lap dancing club on a corporate event with his male peers interacting with his female colleagues the next day; or consider the impact on a member of a stag party who will be interacting with his partner after visiting a lap dancing club.

A study, "Street Harassment – It's Not Ok"[3], published on 8th October 2018 by the children's charity, Plan International UK, revealed that: *"Two-thirds of the girls we surveyed – 66% – had experienced sexual attention or sexual or physical contact in a public place, while 38% had experienced verbal harassment at least once a month. 15% reported being touched, groped or grabbed every month."* The media picked up the story with the headline: "*a third of girls had been harassed while wearing their school uniform"*[4]*.*

The charity is calling on the government to recognise street harassment as a type of "gender-based violence" and is asking for there to be support for boys and men to change their attitudes and challenge harassment. The report contained interviews with girls, one of whom said: "*It's just become normal*."

I hope the licensing sub-committee understands the connection between lap dancing clubs which objectify women and the sense of entitlement over women's bodies that leads men and boys to sexually harass women and girls with impunity. (A quick glance at the social media of Urban Tiger shows photo after photo of headless women, a practice which perpetuates the idea of women as objects, and, among others, regular references to "TittieTuesday", which reduces women to a sexualised body part.)

At each hearing now, a report is presented to the licensing sub-committee by the Licensing Inspector of a study that had been carried out in the night clubs of Bristol. The study had gathered evidence of the number of sexual assaults that had been carried out by men on women in the city's nightclubs. Very few - if any - of these assaults had been reported to the police.

The QC for the club used this study to claim that SEVs are safe because the number of sexual assaults reported either in them or directly outside is minimal. This - perhaps

[2] Heflick, NA & Goldenberg, JL (2009). Objectifying Sarah Palin: Evidence that objectification of women causes women to be perceived as less competent and less fully human. *Journal of Experimental Social Psychology,, 45, 598-601* and Loughnan, S. Haslam, N, Murmane, T., Vaes, J., Reynolds, C., & Suitner, C (2010). Objectification leads to depersonalisation: The denial of mind and moral concern to objectified others. *European Journal of Social Psychology, 40, 709-717.*

[3] https://plan-uk.org/file/plan-uk-street-harassment-reportpdf/download?token=CyKwYGSJ

[4] https://www.bbc.co.uk/news/uk-45777787

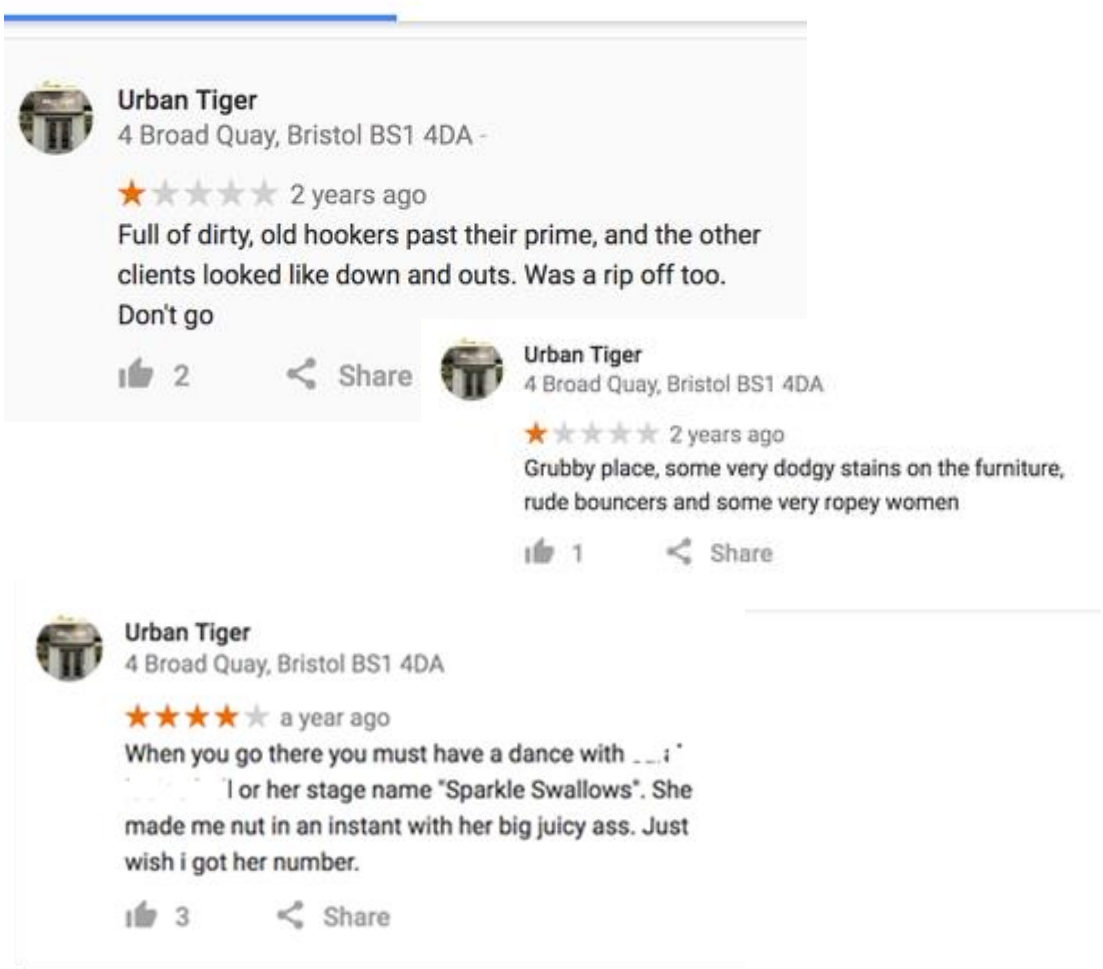
disingenuously - missed the point of the study entirely.

Firstly, the study revealed that the reporting rate is minimal. I can personally attest to this having had three sexual assaults in my life which I did not report to the police (believing that the police would not be able to find the perpetrator). In terms of possible incidents inside the club, Urban Tiger self-polices and it is not in its interest to report assaults on the dancers to the police. If the club were to report sexual assaults, it could be risking its SEV licence. Incidents are therefore managed by the club itself, for example: ejecting the offending client into the street which can have consequences for those in the vicinity.

And secondly, the study revealed the sense of entitlement that is fostered in some men that leads them to sexually assault women. I would ask that the licensing sub-committee considers the results of this study in the context of cause and effect with the sex entertainment venues being one of the contributory factors and the assaults the resulting action.

As noted above in the Plan International UK study, this sense of entitlement does not just happen; it is a consequence of a culture in which women are sexually objectified.

The following reviews indicate the kind of attitude towards women and girls to which SEVs contribute – objectified and seen only in terms of their attractiveness to men:



4 Incompatibility with Bristol's commitment to the European charter for equality of men and women in local life ('Zero Tolerance')

Granting such a licence is incompatible with Bristol's commitment to the European charter for equality of men and women in local life to which the Mayor of Bristol put his signature on behalf of the city in 2013.

The charter states that "the Signatory recognises that gender-based violence arises from the idea, on the part of the perpetrator, of the superiority of one sex over the other in the context of an unequal relationship of power."[5] The Zero Tolerance action plan contains a commitment to review the SEV policy in Bristol, an action that was due to be completed by Autumn 2015 but, which three years later, is still outstanding[6].

It was reported by the police at the Urban Tiger hearing in March 2018 that, in the previous twelve months, there had been around 20 sexual assaults in the vicinity of the club and six of these were serious. Whether this is a large number relative to other cities is irrelevant as any assaults at all are incompatible with the city's aspiration to 'Zero Tolerance'. In order to mitigate against sexual assaults happening at all to either the dancers in the club or women outside the club, the best preventative measure would be to not grant the licence at all. This was one of the reasons given by the High Court for refusing a licence to Vimac Leisure in Durham in 2007 which had applied for a licence for a lap dancing club in the city.

In September 2019, a man was jailed for committing a sexual assault against a lap dancer at Bristol Crown Court. The club itself wasn't named but, as the perpetrator was convicted in Bristol, it is likely that it was a Bristol club. The licensing committee is repeatedly told that there is not a shred of evidence that sexual assaults can be linked to the lap dancing clubs in Bristol. However, this is an assault that was known about before the previous licensing committee hearing at which the SEVs were granted and was not mentioned. Representatives of the club claim that assaults don't take place and that the club is safe yet here is clear evidence that assaults can and do happen in lap dancing clubs.

I would also remind the licensing sub-committee that the White Ribbon status which it was awarded in 2013 includes the commitment to having no sex entertainment venues in the city because White Ribbon recognises that the presence of SEVs results in negative attitudes towards women and girls. It is not good enough for the city to be 'working towards' this status; 'working towards' could be open ended. The City Council needs to actively demonstrate its commitment by fulfilling this part of the requirements.

Bristol City Council should be proud of its commitment to being a White Ribbon city but I would argue that it should not continue to enjoy this status while refusing to acknowledge the impact of SEVs on the lives of women and girls.

5 Inadequacy of current equality impact assessment

I request that the licensing committee commissions an equality impact assessment for

[5] http://www.ccre.org/docs/charte_egalite_en.pdf, article 22, (2)

[6] https://www.bristol.gov.uk/documents/20182/33055/EU+Charter+for+equality+between+men+and+women%2C+Bristol%27s+Action+Plan.pdf/ddb9bbe0-1e78-4af8-b65f-82870cd53519, page 14

the licence applications before making a decision and/or commissions an EIA to support its SEV policy review.

The City Council may be aware that Sheffield City Council admitted at a judicial review in June 2018 that it had failed in its Public Sector Equality Duty to consider the impact of its SEV policy on all women. It has now been forced to reconsider its policy in the light of the court case[7].

To support the EIA, the QC for the club is likely to discuss the facilities in place for disabled people and (in their opinion) the "small" number of children likely to be affected. The focus will only be on the impact of removing the SEV licence on the small number of women who perform in the club but the significant impact that SEVs have on the lives of all women will not be addressed or will be dismissed. I ask the licensing sub-committee to consider the bigger picture and to show its commitment by, at the very least, following the Sheffield example and commissioning an in-depth EIA.

6 Further points for consideration

6.1 "Independent" compliance reports

The club puts forward "independent" reports to support its claims that it is compliant with its licence conditions. The QC for the club uses one of three "independent" inspectors to visit the many clubs for which he acts. As well as the Bristol clubs, these inspectors have visited numerous clubs over the past few years for which the QC for Urban Tiger has also acted[8], most recently in Sheffield in September 2019. There may be a small number of recommendations as a sop to demonstrate the clubs' commitment to meeting their licence conditions but the inspectors have always offered a favourable report on the clubs' compliance and contribution to the night-time economy.

Evidence presented by Urban Tiger which it has commissioned directly can never be judged as truly independent and these reports cannot be taken seriously by the licensing sub-committee. As stated before, it is obviously not in the club's interest to present evidence that would put its SEV licence at risk.

The licensing sub-committee may be aware of the undercover investigation that took place at Spearmint Rhino in Sheffield which revealed 219 breaches of the club's regulations over just two visits – in contrast to the 'clean' reports that are presented on behalf of the club each time.

The "independent inspectors" will be known to the clubs now, rendering the "secret" investigation invalid and ensuring that dancers are careful to adhere to the club's regulations. Mr Bamber is particularly identifiable having been present both at Sheffield

[7] https://www.theguardian.com/uk-news/2018/jun/29/sheffield-strip-club-protesters-triumph-in-judicial-review-spearmint-rhino

[8] Clubs for which one of three "independent" consultants have provided favourable reports to licensing sub-committees for SEV applications alongside Philip Kolvin QC include: Elegance – Portsmouth, January, 2018; Windmill – Westminster, January 2018; Vanity Bar – Westminster, October 2014; Fridge Bar – London, April 2015; Hawkes – London, July 2017; The Banc – London, April 2018; Club 791 – Croydon, March 2016; Coyote Ugly – Swansea, April 2018 plus several others including the two Bristol SEVs.

and Bristol hearings. It was also confirmed at the Spearmint Rhino hearing on 16th September 2019 that the manager knew he was going to be visiting to do his 'secret' inspections.

6.2 False allegations made concerning objectors' descriptions of the women working in the clubs

I would like to emphasise that this objection contains no reference to the women performing in the club other than to express concerns about their safety.

My preference has always been for the city council to adopt a nil cap for SEVs in the city but, while we have them, I have via the SEV licence process campaigned for better working conditions for the dancers, for example: by pressing for CCTV coverage, separate entrances and exits for customers and dancers, and enforcement of the one metre rule during private dances. These improvements to the working environment of the dancers were implemented as a result of concerns raised by objectors and not as a result of proactive management by the club.

6.3 Impact on women performing in Urban Tiger if the SEV licence was removed

I recognise the potential impact on women working in the club if the SEV licence was not granted. However, I ask the licensing sub-committee to note that the women pay a house fee to work in the club and they do not enjoy the same rights and benefits as someone who is formally employed. The licensing sub-committee may be aware that Peter Stringfellow went to court three times to ensure that lap dancers were not regarded as employees (see Stringfellow Restaurants Ltd vs Quashie).

A former SEV in the city centre of Bristol now operates as a very successful tapas bar, Pata Negra. A club that loses its SEV licence can still operate with its alcohol licence and a venue like Pata Negra offers more secure employment opportunities for women and is open and welcoming to all.

To conclude, I object to this licence application renewal on the basis of:

- Suitability of applicant to adhere to the licence conditions
- Residential and city centre nature of the location
- Public sector equality duty and incompatibility with Bristol City Council's White Ribbon and Zero Tolerance status
- Impact on crime and disorder

My objection is not a moral objection. I am not objecting because I "just don't like it". The legitimate concerns in mine and other objections have been dismissed on this basis for many years. To reiterate, violence against women and girls is not - and should never be considered - a moral issue.

I ask the licensing sub-committee to demonstrate their commitment to equality between the sexes by finally refusing this SEV licence.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17 Sept 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) because of:-

Inappropriate locality – they are near numerous places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that several legal precedents have shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. It is impossible to license an SEV and not contravene this. SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

The harm done to many women in the industry (often not recognised until they leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact a large body of evidence, including that from the Home Office, shows that the strip industry itself drives prostitution. Similarly its high street presence fosters the normalising of stripping in other 'less safe' venues, such as private parties.

The council should also be aware that it is not obliged to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material change** whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes currently in existance.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

pLOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

Information in this table is to be kept strictly confidential	

Detail of application	
Name of applicant:	Nightlife Bristol Limited, Urban Tiger (Reference: 20/03022/SEV)
Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25/8/20
Date by which objections must be received:	22/9/20

Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.

Although I currently live in xxxxxxxx, I was a resident of Bristol for over 20 years up until a few years ago. I was a property owner, landlady and mother in Bristol, and I am still a frequent visitor to the city to visit friends and family members. Because I still have close ties with Bristol I am writing to object to the the above application for the following reasons:

I am writing to object to the application for a sex entertainment venue (SEV) licence for adult entertainment for the above premises on the basis of inappropriate location and because of the impact of the club on women and children.

Prominent location in the city centre

Urban Tiger is in a prominent position within the area of Bristol and is in an area which is used extensively by families, young people and visitors to the city. Its presence is a public statement to both Bristol residents and tourists that the council think the commercial sex industry is an acceptable business to be situated in a family friendly area. It contributes to Bristol's reputation as an attractive destination for stag parties and sex tourists.

In particular, please note:

- the area around Urban Tiger contains many of the main bus stops for the city centre. The bus stops outside the premises are used by hundreds of schoolchildren every day.

- the waterside area where the club is situated is a popular place for families, children and young people to gather, play in the fountains, and use the many other delightful facilities there. To have such a place in such a prominent place in the city entirely disregards BCC's duty of care to the families and children who use the area, by putting them at risk of noise, disorder, and possibly even danger of violence and sexual harassment.

The location of Urban Tiger also impacts on several other facilities in the immediate vicinity:

the Youth Hostel (who also, I believe, find the noise disturbance troublesome) with large numbers of young single people staying there. The club is a threat to the young women who stay there, and an unpleasant example to set for the young men. The messages sent to young men by the presence of a prominently situated lap dancing club can lead to attitudes which in extreme cases can result in many different sorts of violence against women and girls, and promote attitudes which contravene the Council's obligation to gender equality. The links between the sex industry and violence against women and girls has been proved conclusively and attitudes of objectification are proven to increase the likelihood of men inflicting violence on other women in their lives.
200 hundred residential apartments, of which a percentage of the residents will also be young people, children or women, with the same set of problems as above.

The Bristol Hippodrome with drop off and pick up point for coaches bringing visitors – not a welcome that many people would want when travelling to the theatre in Bristol. It is likely that seeing a lap dancing club as you get off the bus might put visitors off coming again, or discourage them from staying any longer than they have to.
A bus stop for the Bristol sightseeing tour company
Residential apartments immediately above

Impact on women and children*

* (NB: In previous applications, the Council have appeared to categorise grounds for objecting that are based on issues of violence against women and girls as 'moral' arguments and have therefore discounted them. It is highly inappropriate to categorise concerns on the impact of women and girls as “moral” - being as they are solely arguments of public safety, and women's risk of sexual violence. I hope that Bristol City Council will finally take these concerns seriously, upheld as they are by all current research. Discounting these risks will be seen as indicative of a lack of commitment to women and children's safety, and to gender equality in the wider context.)
There is an increased risk of social disorder that disproportionately impacts on women and girls in areas in which these clubs are situated. Women and children find these places particularly difficult to deal with, finding them threatening and offensive. Women know that they are likely to suffer from verbal harrassment from users of such clubs while walking past; at worst they can be at risk of sexual assault, as incidents of this are more likely in areas which host clubs like this. The reasons for this are:

The clientele likely to be attracted are stag parties. Urban Tiger Bristol's website specifically mentions that it is an ideal location for stag parties - made up of often large groups of men who will probably be drinking heavily.

Management of adverse behaviour can only be reactive, i.e. CCTV only records crimes; it cannot prevent a crime such as a sexual assault taking place, particularly outside the club where security guards have no control. Club security may enforce the code of conduct to protect the performers inside the club but does not protect the public outside the club, and in effect puts the problem it has just created outside, for the general public to deal with.

I would like to register my strong objection to granting a SEV license for this club, and to ask BCC to take this opportunity to demonstrate that it is a progressive and forward thinking city that is committed to improving the quality of life for all residents of Bristol – particularly families and women. I would like to call on BCC for a full policy review on the existence of Sex Entertainment Venues in Bristol, in accordance with the stated aims of the new mayor, and in light of the representations of the police - who know these places harbour socially disruptive, and at worst criminal, elements which have a detrimental effect on life in Bristol.

Continued from page 1:

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

Incompatibility withEquality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties.

The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material**

changewhatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

Women are being trafficked and bought to rape by men across the country, there's no better example than Holbeck in Leeds, a so called managed zone where residents and their children are propositioned daily. You cannot ensure the safety of Bristolian women by allowing this or of the women who are dragged in by the need for money, food for themselves and/or children and addictions. I know I can speak for many women who have had the help to exit the sex trade, can you? Will you stop encouraging men to view women as objects to be leered at in YOUR city? Do you want Bristol to be the go to place for sexism and misogyny?

Please listen to the concerns and act accordingly.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 19th September 2020

RE: Urban Tiger

I OBJECT to the relicensing of both these strip clubs (by the same applicant) on the following grounds:
Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until they leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

It is not 'pro-equalities' to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. A large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties.

The council should also be aware that it does not have to relicense these clubs just because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. The council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material change** whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

Hence I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 18th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties.

The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material change** whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 19th September 2020

RE: Urban Tiger

I was born in bristol, and still work in the city. Stripping demeans women and men. Stop objectifying women and girls. I have signed petitions in the past via fawcett society, bristol womens voice, zero tolerance campaign against vawg etc. Women and girls are vulnerable to violence and assault within the sex trade. No such thing as sex work, only exploitation.

How can bcc sign up to zero tolerance campaign and still allow these types of establishments? And what about your statement for bristol womens commission, https://www.bristol.gov.uk/mayor/womens-commission

Especially;
Women's Safety
And
Women's Representation in Public Life.

I object to the relicensing of both these strip clubs (by the same applicant) due to:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have no legal grounds to challenge a refusal to relicense on these grounds.

Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not ‘balanced out‘ by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Further, it is not pro-equalities to license strip clubs in order to ‘keep women in work’ or ‘out of prostitution‘ or ‘stop the industry going underground’. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other

‘less safe’ venues, such as private parties.

The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing should not be a rubber stamping exercise. Rather, the council is fully entitled to look with fresh eyes at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that there need be no material change whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 14th September 2020

RE: Urban Tiger

Our charity supports survivors of the sex trade across the UK, including women who have exited the strip industry. Such individuals also play a key role in informing our work.

That is why we object to the relicensing of both of these strip clubs and urge the council to refuse both licenses on the discretionary grounds of inappropriate locality.

Please note this objection is based on harm, not morality.

Regardless of whether a strip club is well run and abiding by all regulations, its inherent harms cannot be mitigated.

These include the fact that the entire premise of the strip industry is (self) objectification*/commodification of lap dancers. This is inherently harmful, as psychiatrists and the many former lap dancers we work with well know. This is harmful regardless of whether women in the industry chose to objectify themselves, feel they are objectified or recognise this as damaging.

We would point out that 'objectification' is not a trivial term – it means the dehumanising of a person, it turns a human being is a thing, an object, with no rights, something that can be bought like any other object. That is why it is so harmful.

Lap dancing is also a key entry point into (even more harmful) prostitution – as shown by research and the evidence of numerous survivors of the sex trade. There is also significant coercion and *lack* of choice in entering and remaining in this industry – as testified to by numerous survivors and countless bodies of research.

However, you cannot possibly know whether or not this is the case for the women in *your* strip clubs. Because while women are in the industry they survive through denial, as did all the women we work with when they were in the strip/sex trade.

We would also point out that these harms are simply not 'balanced out' because some women enjoy lap dancing.

The deeply damaging effect on wider attitudes also cannot be prevented – that is of seeing women as sexual objects. Again these harms simply are not 'equalised out' by lap dancers who enjoy their work. At the moment, Bristol city council is telling survivors of sexual abuse and the sex trade every time they walk past your city centre strip clubs,

that the authorities see women as sexual commodities. You are also directly normalising all aspects of the sex trade with such a visible High street presence – and in doing so, driving its very demand.

The women in this industry are not helpless victims, who need saving or who are incapable of alternative employment and will have to work in ‘the underground’ industry or turn to prostitution in order to survive. These are very capable, resilient and typically charming young women (often at university) who could find work elsewhere - and excel.

However, the council has an absolute duty to support all women who have worked in lap dancing into safe alternative work (both in terms of practical and mental health support). This holds true right now when, presumably, the clubs have not been able to operate and its current dancers are very possibly entering webcamming and other dangerous online forms of the sex trade.

The fact that strip clubs cannot operate in the foreseeable future due to Covid, makes it even more nonsensical to continue to license this essentially non-viable business. You are actually keeping its workers out of work. Instead, the council should ensure this venue is put to an alternative safe use, one that is not linked in any way to any part of the sex trade.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Objection to application for a Sexual Entertainment Venue

Information in this table is to be kept strictly confidential	

Detail of application	
Name of applicant:	Nightlife Bristol Limited, Urban Tiger (Reference: 20/03322/SEV)
Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25th August 2020
Date by which objections must be received:	22nd September 2020

Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.

I am submitting this objection on behalf of xxxxxxx in my capacity as its representative on xxxxxxxxxxxxxxxx and in line with the xxxxxxxxx stated values.

I object to the renewal of the SEV licence to the above applicant on a number of grounds including the location of the applicant's premises, the Council's duties under Equalities Law and its obligations under Crime and Disorder legislation.

Why I ask you to refuse the application

<u>Safety and Equality of Women in Bristol</u>

1. As a signatory of the European Charter for Equality of Women and Men in Local Life, Bristol City Council must recognise that "gender-based violence arises from the idea, on the part of the perpetrator, of the superiority of one sex over the other in... an unequal relationship of power" (Article 22.2). SEVs reflect and contribute to a popular culture in which women's bodies are objectified and seen as available for men's use, while the opposite is not the case. This culture perpetuates the notion of "the superiority of one sex over the other" as identified in the Charter[i]. The Council's duty under the Equality Act 2010 and the Public Sector Equality Duty (PSED) includes the need to have due regard to the need

to eliminate discrimination and harassment of women and advance equality of opportunity for women, as well as foster good relations between men and women. The claims made by Sexual Entertainment Venues in Bristol to be champions of equality are not only extraordinary but irrelevant to SEV applications with regard to PSED. It is the local authority which must meet the requirements of the Public Sector Equality Duty.

2. The continued licensing of SEVs, in this case specifically Urban Tiger, by Bristol City Council means that the Council fails to meet obligations under the Charter and fails to engage with the purpose of our national equalities legislation. This diminishes the status of Bristol as a modern European City where both women and men should be able to lead fulfilled lives in a safe and fair society. Bristol as a city is committed to the eradication of violence and abuse of women and girls, an ambition shared by UWE Bristol. In 2012 the city was awarded White Ribbon City status which requires cities to work towards a status of zero SEVs. Bristol City Council has been supportive of the Bristol Women's Commission's Bristol Zero Tolerance initiative and both previous and current Mayors have also pledged their support.

There are other approaches to addressing violence and abuse in the city including public health campaigns, school campaigns and our university campaigns all dedicated to changing social norms around gender inequality, attitudes to women and the acceptability of violence towards women. The Bristol Against Violence and Abuse Strategy 2015-2020 led by the Council includes an objective to reduce the opportunities for sexual exploitation and negative perceptions of women connected to SEVs.[ii] These projects are supported by or run by Bristol City Council. I believe that the continued licensing of SEVs directly undermines this work and is not compatible with the wider outcomes and aims that the city, and the university as part of the city community, hopes to achieve in terms of gender equality and gender-based violence.

3. Urban Tiger is in the central Cumulative Impact Zone. Bristol's Statement of Licensing Policy states that this area "has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety". In 2017 Avon and Somerset Police submitted a report that detailed a number of reports of crime and disorder directly related to the premises and also reported 40 sexual offences within the area in a 12-month period. Whether you believe that these sexual offences are directly related to the presence of the club, or that the club happens coincidentally to be situated in a hotspot for violent and sexual crimes against women, it is clear that this is an inappropriate location for a SEV.

Unsuitability of premises and location

4. The prime city centre location of Urban Tiger is a constant reminder, to women and men, girls and boys, of Bristol's tolerance of sexism and inequality in the city. The proximity to bus stops, student residences and public buildings, such as churches, as well as public perception has not to date been taken appropriately into consideration with the location of Urban Tiger in Bristol City Centre. It's very clear from the City Council's own policy that the location is unsuitable given the grounds that sub-committees are directed to take into account when

deciding whether to allow an SEV to operate.

5. The Council have received various objections in the past to the renewal of SEV licenses including details of sexual harassment that some women have experienced in the vicinity of SEVs and specifically that of Urban Tiger. Women also report feeling unsafe, unwelcome and intimidated when near these establishments. As Philip Kolvin QC notes, "the fears of women using the vicinity of premises may be reflected in decisions as to the location of such facilities… These concerns are directly reflected in the Royal Town Planning Institute's Gender and Spatial Planning Good Practice Note, which states: '…ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing clubs make women feel threatened or uncomfortable.'"[iii] We do not want staff or students or other Bristol residents to be subject to this.

6. Residential Character: The premises are located directly adjacent to hundreds of residential apartments, including student accommodation, and Bristol's Development Framework Core Strategy promises further residential development in the city centre including 7400 new homes in the city centre alone. This by itself is grounds to refuse this application.

7. Character of the locality including leisure and family friendly facilities: People, including university staff and students, visiting Baldwin Street, the Hippodrome, and other shops and businesses may have to pass Urban Tiger. The premises are not "discreetly located" but are close to family-friendly restaurants, shops, cafes and on a newly updated public transport route that are accessed by a huge proportion of people including children. The historic area is also a "first impression" for many visiting the city. Based on these venues, the street is a highly inappropriate location for a venue that perpetuates inequality.

8. Further, Bristol women have expressed concern over the levels of harassment that are linked with having an SEV in a central location in Bristol and they have made it clear that they avoid the area.

On all these grounds I, on behalf of xxxxxxxxxxx, object to this application.

[i] Bristol Women's Commission, Sexual Entertainment Venue Policy Statement, Licensing Special Purposes Sub Committee, 6th November 2014

[ii] https://www.bava.org.uk/wp-content/uploads/Bristol-Against-Violence-and-Abuse-Strategy-2015-2020.pdf

[iii] Kolvin, P. (2010) Sex Licensing.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

RE: Urban Tiger

I strongly object to the relicensing of both these clubs because of several factors:

1) Positioning - inappropriate locality - they are near many places deemed inappropriate in your own policy .

2) Equality law - incompatibility with Equality law - The council must abide by equality law in all of its licensing decision. However it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes as numerous experts have stated.

Please note: The Court of Appeal has ruled that the committee is fully entitled to look with fresh eyes at every licensing hearing - that is why these are held annually. It has also stated there need be no material changes whatsoever in order to refuse a license that was previously granted. Please refuse both licenses. Instead the council should focus on supporting alternative equality law-compliant businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

Protect women and apply the law.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

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Detail of application	
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Application date:	25th August 2020
Date by which objections must be received:	22nd September 2020

Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.
White Ribbon UK objects very strongly to the renewal of this license. Bristol City Council undertook to become a White Ribbon Council in 2013 this commits the authority to working towards a zero limit on sexual entertainment venues. All local authorities should have regard to their public sector equality duty we believe this requires them consider the impact on all women of the existence of this kind of establishment. The derogatory and abusive treatment towards women in the lap dancing industry is well documented. Paying for lap dancing normalises the practise of men paying for sexual services which has an impact on demand for other aspects of the sex industry, and on the local community. White Ribbon Campaign UK feels very strongly that this application is in breach of Bristol City Councils White Ribbon status. We believe, therefore that this application is completely inappropriate and should be rejected.

Continued from page 1:

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

RE: Urban Tiger

I object strongly to the proposal of the strip club. These venues objectify women, which dehumanises is and makes us more vulnerable to Male violence.

The dancers are always abused in these venues; their money stolen by management and pimps, their boundaries crossed by entitled customers, and many suffer abuse and assault, including rape.

Women and girls in the City expect you to abuse by your Public Sector Equality Duty and you assess the Equalities impacts of these venues on people protected by their characteristics as “of the female sex” and “age”.

I object to the relicensing of both these clubs due to:
Inappropriate locality - they are near many places deemed inappropriate in your own policy .
Incompatibility with Equality law - The council must abide by equality law in all of its licensing decision. However it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated.

Please note: The Court of Appeal has ruled that the committee is fully entitled to look with fresh eyes at every licensing hearing - that is why these are held annually. It has also stated there need be no material changes whatsoever in order to refuse a license that was previously granted.

Please refuse both licenses. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

Do the right thing. These venues are revolting. Refuse the license.

In disgust,

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 20th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties.

The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material change** whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 19th September 2020

RE: Urban Tiger

We OBJECT to the relicensing of both these strip clubs (by the same applicant) due to:

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That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 19th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

Personal experience: I have suffered Street harassment from men since I was a teenage girl in the 1980s. Teaching men that it is ok to objectify and sexualize women encourages this street harassment. I have been Street harassed outside a strip venue in a city many times, by men who were entering it, whilst I was passing by on my way home from work. It was humiliating and intimidating. There is very clearly a connection between men's sense of entitlement, by paying women to perform sexually for them, and to harass women and girls in public. This is not ok.

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

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Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties.

The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material change** whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

I live in xxxxxx and regularly enjoy days and nights out in Bristol (Covid allowing), please do the right thing for women.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 18th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

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LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

RE: Urban Tiger

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RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:
Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.
Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties.

The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material change** whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

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I should mention that I have direct experience of a strip club being in an inappropriate locality. My sister, my seven year old niece and I went to a shopping centre for a lovely family day out. We bought my niece some nice toys and got some food, then my sister and I decided to go to a nearby pub for an hour before setting off home. We thought it would be relaxing and the place seemed quite olde worlde and family friendly. Shortly after - and this was still mid afternoon - a group of men came in. They made it clear their reason for being in the precinct was to visit the strip club across the way which was due to open soon. They then invited - in front of a seven year old girl, remember - my sister and I to strip for them to save them the entry fee to the club. We left as soon after as we could, both upset by this harassment, but especially disturbed because this was my little niece's introduction to sexual harassment and misogyny.

Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

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That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment. Give women involved in the sex industries a realistic choice and the vast majority will jump at the chance. They deserve the chance to thrive just as we all do.

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LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 21th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

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Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not 'balanced out' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

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That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 18th September 2020

RE: Urban Tiger

I am a crisis worker for a local domestic & sexual abuse charity. I have worked with vulnerable survivors for 5 years now, and there is plenty of proof out there that social conditioning, including strip clubs where you can buy services of woman, has a direct causal link to abuse.

I object to the relicensing of both these clubs due to:

Inappropriate locality - they are near many places deemed inappropriate in your own policy .

Incompatibility with Equality law - The council must abide by equality law in all of its licensing decision. However it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated.

Please note: The Court of Appeal has ruled that the committee is fully entitled to look with fresh eyes at every licensing hearing - that is why these are held annually. It has also stated there need be no material changes whatsoever in order to refuse a license that was previously granted. Please refuse both licenses. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 18th September 2020

RE: Urban Tiger

I object to the relicensing of both these clubs (by the same applicant) due to:

Inappropriate locality - they are near many places deemed inappropriate in your own policy (the city centre, near the university, transport hubs, places of worship, family leisure facilities etc).

Incompatibility with Equality law - The council must abide by equality law in all of its licensing decision. However it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated.

Please note: The Court of Appeal has ruled that the committee is fully entitled to look with fresh eyes at every licensing hearing - that is why these are held annually. It has also stated there need be no material changes whatsoever in order to refuse a license that was previously granted.

Please refuse both licenses. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

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Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.
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The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material change**whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 20th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to the following reasons:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities, etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment, and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor it is '**balanced out**' by the fact that some in the industry state that they chose to be in it, it is their right, or they enjoy it and find it 'empowering'. Many women in the industry do not fully recognise or understand the harm done to them until have exited, or are saying these things as a coping mechanism.

Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact, a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution. Similarly, its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties. **Women should not have to resort to working in the sex industry, where they are routinely dehumanised and exploited, in order to be in employment.**

The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber-stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear, that **there need be no material change** whatsoever in order to refuse a license that was previously granted. Clearly Covid-19 measures mean there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead, the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

Thank you for considering this letter.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

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This is an opportunity to make a change that will benefit all women and girls in the UK, and change negative and dangerous attitudes for the future, this has to be not about income for the council but about health and safety for half the population.

Please note, the harm done to many women in the industry (often not recognised until they leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

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That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

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Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

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Please note, the harm done to many women in the industry (often not recognised until they leave) and to all in wider society is not ‘balanced out‘ by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Furthermore, it is not 'pro-equality' to license strip clubs in order to ‘keep women in work’ or ‘out of prostitution‘ or ‘stop the industry going underground’. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, and similarly its high street presence drives the normalising of stripping in other ‘less safe’ venues, such as private parties.

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LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 22nd September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

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Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not 'balanced out' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

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In addition to the legal and moral grounds to my objection, as a young woman and a visitor to your city, walking past these venues makes me feel incredibly unsafe and unwelcome.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
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RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

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That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment. Please do the right thing.

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Incompatibility with Equality law - The council must abide by equality law in all of its licensing decisions. However it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated.

Please note: The Court of Appeal has ruled that the committee is fully entitled to look with fresh eyes at every licensing hearing - that is why these are held annually. It has also stated there need be no material changes whatsoever in order to refuse a license that was previously granted.

Please refuse both licenses. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 19th September 2020

RE: Urban Tiger

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Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 20th September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this. Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties.

The council should also be aware that it is not beholden to relicense these clubs simply because it has in the past. On the contrary, legal experts categorically state that relicensing **should not be a rubber stamping exercise**. Rather, the council is fully entitled to **look with fresh eyes** at every licensing hearing – that is why these are held annually. Legal expertise is also very clear that **there need be no material change** whatsoever in order to refuse a license that was previously granted. Clearly Covid means there are very material changes now at play.

That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 21st September 2020

RE: Urban Tiger

I object to the relicensing of both these strip clubs (by the same applicant) due to:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.

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Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

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LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 22nd September 2020

RE: Urban Tiger

I object to the relicensing of both these clubs (by the same applicant) due to:

Inappropriate locality - they are near many places deemed inappropriate in your own policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc).

Incompatibility with Equality law - The council must abide by equality law in all of its licensing decisions. However it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated.

Please note: The Court of Appeal has ruled that the committee is fully entitled to look with fresh eyes at every licensing hearing - that is why these are held annually. It has also stated there need be no material changes whatsoever in order to refuse a license that was previously granted.

Please refuse both licenses. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

RE: Urban Tiger

Despite not being local to Bristol, this is something that concerns me, not just in Bristol, but across the UK. Despite this seeming like a copy and paste email, I have read and agree with the views expressed below.

So I am objecting to the relicensing of both these strip clubs (by the same applicant) due to:

Inappropriate locality – they are near many places deemed inappropriate in your own licensing policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc). The council should be aware that numerous legal precedents have now shown that strip club operators have **no legal grounds to challenge a refusal to relicense on these grounds**.
Incompatibility with Equality law – The council must abide by equality law in all licensing decisions. And it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two successful High Court cases against Sheffield City Council (a third pending) on the grounds of breach of equality law, further indicate this.

Please note, the harm done to many women in the industry (often not recognised until you leave) and to all in wider society is not **'balanced out**' by the supposed lack of harm to some in this industry. Nor by the fact that some in the industry state they chose it, it is their right or they enjoy it and find it empowering.

Further, it is not pro-equalities to license strip clubs in order to **'keep women in work'** or **'out of prostitution**' or **'stop the industry going underground'**. In fact a large body of evidence, including from the Home Office, shows that the strip industry itself drives prostitution, similarly its high street presence drives the normalising of stripping in other 'less safe' venues, such as private parties.

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That is why I urge you not to relicense these venues. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

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LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

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LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

Information in this table is to be kept strictly confidential	

Detail of application	
Name of applicant:	Nightlife Bristol Ltd / Urban Tiger (Reference: 20/03322/SEV)
Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25 August 2020
Date by which objections must be received:	22 September 2020

I write as a resident of Bristol who in normal times passes Broad Quay regularly for work, volunteering, leisure and family reasons. I also write as a gender equality consultant and as an academic who specialises in the prevention of violence against women. I advise governments, public health agencies, universities and NGOs in the UK and internationally, on women's rights, sexual harassment, sexual objectification and gender equality policy. Xxxxxxxxxxxx the Safety and Access task group of the Bristol@Night board. I am a member of the Society of Gender Professionals and hold a current appointment to the United Nations Roster of Experts on Violence Against Women.

I object to the application to renew the licence on the following grounds, which I would like shared in full with the Committee rather than summarised:

Safety and equality of women in Bristol

I am unable to avoid seeing Urban Tiger whenever I go to the city centre. I experience this as a constant reminder to me of my place as a woman in our society and of Bristol's tolerance of sexism in our city. We know from research that many women and girls avoid public areas that make them feel unsafe and that these areas include where SEVs are located. Bristol's latest Quality of Life survey shows that 18% of women have been victims of sex or gender discrimination or harassment in the last year. 29.3% f women think sexual harassment is an issue in Bristol, rising to 42.7% of young people. Bristol women limit their freedom of movement in the city because of feeling unsafe. It is unjust that our public spaces include "no-go zones" for women,

whether they avoid the spaces because of safety fears, or in rejection of the sexual objectification and sexism that they represent. In any case, while the immediate vicinity of SEVs may well be associated with higher risk of assault or sexual harassment, despite the mitigating presence of door staff or CCTV cameras, the harms of SEVs to the women of Bristol are not restricted to the immediate geographical vicinity nor to the immediate point in time at which 'sexual entertainment' has taken place. To suggest that this is what objectors say is to deliberately misrepresent what objectors and experts know about the cultural context of sexism and violence against women.

The existence of what is unapologetically a part of the sex industry on arguably the most busy and central street in Bristol causes problems for great numbers of people for many reasons. The City Council has a duty to promote gender equality yet in a consultation when women were asked whether decision makers take full account of [let alone promote] women's equality issues almost 92% of respondents said no or were unsure. Meanwhile respondents also questioned the Council's failure to refuse licences for lap dancing clubs and cited feeling unsafe in the city centre, and said that women are being excluded from enjoying the city in the same way as men. The Royal Town Planning Institute guide on Gender and Spatial Planning says that "lap dancing and exotic dancing clubs make women feel threatened or uncomfortable" which is further corroborated by 2012 research published in Criminal Justice Matters which states that: ". . . the women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around), and avoid certain streets at night where they know there is a lap dancing club." This is evidence and there is no mitigation for this.

Personally, I am not made to feel "threatened or uncomfortable" by Central Chambers: I am made to feel saddened and angered that our city has thus far continued to tolerate this beacon to the inequality of women.

Urban Tiger, in common with all lapdancing clubs, promotes harmful attitudes to women and runs counter to promoting equality between women and men. I do not say this because it is a sex-related business. It is because it reproduces and promotes the prevailing financial and social inequality between women and men in our society, and it reproduces and promotes the prevailing cultural assumption that women's bodies are objects to which men are entitled to have access. Holding pole dancing lessons for women or engaging occasional male strippers does nothing to alter this. Indeed, research into sexual objectification has shown that it is only women (not men) who are seen as objects (dehumanised) when sexualised. Academic research published in 2018 (Violence & Victims, 33(1), 23) showed that "objectification of the other sex was associated with **severe psychological aggression and physical assault perpetration** in males, but not in females".

Dehumanisation of women makes it easier to behave violently towards women - and dehumanisation / objectification of women is a cultural phenomenon that causes women as a group to be subjected to violence. In other words, seeing one woman as a sex object affects how all women are seen. Adequate safety precautions for performers while they are at work in SEVs are important and necessary, but such precautions do nothing to protect other women in Bristol from the harmful attitudes that are being fostered and encouraged in the day to day operation of SEVs.

One of the most authoritative, rigorous, expensive multinational studies of male violence against women ever conducted was recently published by the United Nations, in which the most common motivation of men who have admitted to rape was found to be the **belief that they are entitled to sex** even without the female partner's consent. This study interviewed 10,000 men and 1 in 4 had raped their wife, their partner or another woman. That is not an insignificant minority of men. Entitlement, which is the stock in trade of lap dancing clubs, is the main motivation given by men who rape. Appallingly, the first time this research was cited in an objection the claim was made to the committee that this research was somehow irrelevant because it was conducted across six countries in Asia and the Pacific, not the UK. This attempt to undermine decades of evidence concerning why men are violent to women, and what we can do about it, by means of what I would call dog-whistle racism, was deeply offensive. I am struggling to believe the committee were swayed by that intervention but for the purposes of clarity I would like to make it clear that there is a vast and ever-growing international evidence-base regarding the extent and causes of violence perpetrated by men and boys against women and girls. Should the committee members be interested in recent research specifically concerning men and boys who live in the UK I encourage them to review Promundo's recent (2018) study of young men including over 1000 British men, or the EU Fundamental Rights Agency's (2014) survey of 42,000 women including over 1500 in the UK and over 1500 in Ireland.

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

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

In her most recent country visit to the UK, Professor Rashida Manjoo the UN Special Rapporteur on Violence Against Women and Girls, drew attention to the social practices that facilitate violence against women and girls. She said that the UK has a particular problem with sexist culture towards women and the "marketisation of their bodies". This observation has been reflected in the evidence-based report issued recently by the Committee For Standards in Advertising Practice with the Advertising Standards Authority: "*Depictions, Perceptions and Harm"*.

I object to the granting of this renewal therefore both on the grounds of the **Council's Equality Duties** and under the licensing objective of the **prevention of Crime and Disorder**. The sexual objectification of women, as encouraged by and practised in SEVs, acts to reinforce gender inequality. Sexual objectification dehumanises women. Male domestic violence offenders using the sex industry use more forms of aggressive violence and more controlling behaviours than those who do not use the sex industry. After being exposed to images that sexually objectify women, men are significantly more accepting of sexual harassment, interpersonal violence, rape myths, and sex role stereotypes – all of which act to reinforce gender inequality. Importantly, this increased acceptance of harmful attitudes is not confined to particular women but

generalises to women as a group. Recent research demonstrates how sexual objectification has a key mediating role in the well-established link between men's alcohol use and sexual violence perpetration: "alcohol use intensifies the objectification of women in a manner that increases sexual violence risk". SEVs provide alcohol and encourage sexual objectification.

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

Unsuitability of premises and location

Research issued by the Office for National Statistics for the year ending 2017 revealed there to be 648,000 adult victims of sexual offences in that one year, of whom 510,000 were women. This means that an estimated 3.1% of all adult women are subjected to sexual offences every year. The research also shows that rape and other sexual offences remain massively under-reported to the police compared with many other crimes, despite how serious they are. Only 17% of victims said they reported the offence to the police. Their reasons for not going to the police included "*embarrassment*", and "*didn't think the police could do much to help*". Meanwhile the statistics in Bristol reflect the national picture, with Operation Balsa confirming that sexual assaults are "massively under-reported" (CIA data presentation, 2020). Even so, in two years there were 91 reports of rape or sexual assault at licensed premises in Bristol City Centre. Two of these were at an SEV (Urban Tiger), bringing it into the top 20 locations for sexual assault/rape in licensed premises. The reason there are very stringent safety conditions (CCTV, door staff for example) in SEVs is because of the evidence that women who work in them are highly likely to be subjected to sexual abuse (and also extremely unlikely to ever report it to authorities). However, sexual assaults upon women who are customers are far less likely to happen in SEVs because there are proportionately very few female customers and the premises are highly monitored. Rather, the SEVs create problems that they do not take responsibility for. In the short term, men disinhibited by alcohol and encouraged to have a sense of entitlement to women's bodies are likely to take themselves out into the city centre streets. In the longer term as the scholarship on violence prevention tells us, men whose attitudes and behaviour to women are shaped, normalised and reinforced by the business of SEVs, are an ongoing problem for their work or study colleagues, family, and the wider community of women. The first point - that research tells us sexual objectification and alcohol consumption together predict sexual violence in men in general - is a very clear reason to find that **the location of the premises is unsuitable** given that the city centre is a hotspot for sexual violence.

I have set out further reasons for the unsuitability of the premises, supported by references to studies and reports, in previous objections. I summarise them here.

I object to the renewal of this licence on the grounds of:
<u>Residential character:</u> premises are directly adjacent to hundreds of residential apartments with the prospect of more to come.

<u>Character of the locality including leisure and family friendly facilities:</u>

The premises could not be more prominently or centrally situated with 1300 pedestrians passing by per hour. It is a transport hub and the area is the “first impression” for many visiting Bristol.

Safety and wellbeing of women working in SEVs

I provide an example of how violence against women in clubs remains under the radar:
This is from the police log for a Bristol SEV in 2012:

> 7/1/2011. AS-20110107-0050.
> Council CCTV saw a male with blood on his face outside club. Police attended and door staff stated that the male had been touching the dancers. The male had then got behind the bar before being ejected from the club. The male refused to give any details about the incident. There were no allegations from either side so NFA [no further action] was taken.

The performers at the club are self-employed women. Research shows that women who work in SEVs are subject to high levels of abusive behaviour by customers: in a UK study published in 2011 almost half reported frequent verbal harassment and unwanted touching from customers (in other words, sexual assault). However the reality is that this behaviour is a) tolerated/accepted and b) not reported to the authorities and there is a clear conflict of interest to do so. Nevertheless, the most serious sexual offences that are captured on cctv can end up reported to police. It is not a coincidence that in Bristol last year a customer was jailed for what must have been a terrifying attack in an SEV which resulted in him ejaculating onto the bare leg of a performer (https://www.thewestonmercury.co.uk/news/court/former-weston-man-ejaculated-on-stripper-1-6283931). The licensing committee must be clear that their objective the “Prevention of Crime and Disorder” is just that, and must not be interpreted as the “Prevention of specific types of crime and disorder which are reported to the police and acted on by the police”.

In a previous hearing for renewal of this licence, objectors were egregiously misrepresented via a suggestion from the lawyer for the premises that objectors viewed performers (women who work in SEVs) as “a sub-class”. I regard this as an attempt to set up a false ‘battle’ between women performers and women who object to SEVs. The issue is one of social policy and of gender equality. It is sexism and violence against women that must be the focus, not the work choices of women who strip. Since the new licensing regime was introduced there has never been any objection demonstrating anything other than respect and concern for the performers and their welfare. This is because it is not feminists who attack and show disdain for women working in the sex trade. Sadly it is punters who do this, as a search for customer reviews of SEVs and other sex trade premises readily makes clear and as academic research demonstrates. At the same time, an academic review of how dancers manage stigma (Thompson & Harred, 1992) set out three techniques for how this is done: 1) by denying the existence of injury or harm, 2) by condemning the people who condemn their work, and 3) by appealing to “higher loyalties” for example by proffering reasons for dancing such as helping family members with money or paying their way through education. Please do not allow representatives to attempt to derail the focus of licensing hearings, and please challenge them when they do because objectors have no right to reply in the way Bristol’s hearings have been

designed to proceed.

A prime city centre location like this could be brilliantly redeveloped just like Pata Negra in Corn Street which used to be a licensed SEV called the Lounge@30. When its SEV renewal was refused, it went on to become an immensely successful thriving business employing more staff with full proper employment status than either of the Bristol SEVs do according to their accounts. This means that the employees there have all the rights and benefits such as pension and sickness pay that that entails. By contrast performers in SEVs, who bring in custom and who pay fees to work there, are self-employed. They have no sickness or other benefits – one reason why in Doncaster as reported in the national news, a young woman went back to work as a stripper 4 weeks after giving birth to her first baby. On her first day back she was propositioned for sex by a customer who would not take no for an answer, and he punched her, breaking her face in three places. Licence conditions, which women's rights campaigners fought hard for at the last policy review, are very important to signal concern for the protection of worker safety because working in the sex industry is the most dangerous work that women can do – but at the end of the day no amount of conditions or CCTV can make this work 'safe' – as other news stories from the last year alone illustrate. A well managed premises that is a part of the sex trade is still a part of the sex trade and still has a net very negative impact on the city's progress towards equality.

I object to the renewal of this licence on all the grounds listed above.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

Information in this table is to be kept strictly confidential	
Full name of objector:	
Full postal address of objector:	
Contact telephone number:	
Email Address if appropriate:	

Detail of application	
Name of applicant:	Nightlife Bristol Limited, Urban Tiger (Reference: 20/03322/SEV)
Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25 August 2020
Date by which objections must be received:	22 September 2020

Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.

xxxxxxxxxxxxxx, established in 2001, is a Bristol-based organisation whose members support the aims of the xxxxxxxxxx and work at a local level to:

- Raise awareness of xxxxxxxxxxxx
- Campaign and lobby to improve policy and services for women and girls
- Bring an informed gender equality perspective to local decision making bodies including Bristol City Council with whom we have worked in partnership on many subjects for over a decade.

xxxxxxxxxxxxxxxx objects to the renewal of the SEV licence to the above applicant on a number of grounds including the location of the applicant's premises, the Council's duties under Equalities Law and its obligations under Crime and Disorder legislation.

We do not wish this objection to be summarised as we would prefer the Committee to read a copy of it in its entirety, and for it to be published in its entirety, including the appendix.

Summary of points

1. No previous manifestation of a sub-committee has said in its decision that it had 'particular regard to written objections concerning the location of the premises' (see Appendix) – but you are entitled to do this.
2. A local authority is a "body of changing composition and shifting opinion" (see Appendix) – a differently constituted sub-committee may have different perceptions from those of previous elected representatives. This is as it should be. The existence of a licence is not the determining factor in its renewal.
3. We – and other women's organisations and service providers - are your experts in gender equality. Others do not have this expertise. Our collective expertise surely has definitive credibility and weight. You represent the only city in the UK to be a signatory to the Charter for Equality of Women and Men in Public Life and one of a small number to be a White Ribbon City who have clarified their position to you about the requirement to end SEVs. You are the only local authority in England to have a Cabinet Member for Women. This dedication to gender equality should be mainstreamed throughout all your decisions.
4. This year our objection contains references to new research and policy adding to the already very strong evidence of the negative impact upon women of this SEV in our historic city centre. The harm to women can not be 'mitigated away' by conditions (there is no evidence that they make a difference) nor by however discreet the venue appears. It is not its physical appearance, but the nature of the activity and its effects on Bristolians, to the detriment of women, which is at issue.
5. Although the law says you do not need any 'new' changes in locality the fact is that the locality now has an increased residential and family and student population which your policy says you will take into account.
6. Please give weight to your obligations under the Equality Act, accept as authoritative the evidence in our submission and refuse to grant this application.

<u>Gendered violence and gender equality</u>

Experts in gendered violence (which is one of the most significant drains on police and public health resources) and gender equality (which BCC is quite rightly obliged to promote under Equality legislation) are united in their consistent advice that SEVs are harmful.

Women's groups are not profit-making businesses. If we were, we would pay to employ expert public law barristers to talk to the members of the committee about the Public Sector Equality Duty and how local authorities are equipped to take decisions in support of equality and to tackle discrimination. One such barrister, Karon Monaghan QC who acted in the recent case regarding Sheffield City Council and SEVs where the council was found to be in breach of equality law, said in 2018 to a Parliamentary Select Committee on sexual harassment: "what has been said in the lap dancing public sector equality duty case is that licensing lap dancing clubs and sexual entertainment venues more generally, 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." The QC went on to say, "There is so much that can be done using the public sector equality duty. Planning, environment, lighting, the way streets are organised, schools, **licensing sex entertainment venues**. 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." Equality law

is not less binding, or less important, than licensing law. The results of the two recent Judicial Review cases in Sheffield highlight Local Authority shortcomings with regard to gender equality and the licensing of SEVs. We encourage members and officers to study the findings in those cases. We do not want to take the council to Judicial Review - we would prefer that members act using their discretion as is their right under licensing law, in order to meet their obligations under equality law.

The overwhelming consensus nationally, internationally, and here in Bristol among experts and expert organisations who promote gender equality and who work to end violence against women, is that lap dancing clubs are harmful. Scotland's licensing legislation (2015) directs local authorities to consider the specific impact of SEV policy upon the aim of reducing violence against women. In 2018 The Women's Equality Party passed a motion calling upon the Home Office to issue new guidance helping local authorities to clearly understand their powers to refuse SEV licences. Bristol's own strategy against gendered violence, to which the City Council is a signatory, contains an objective to reduce the opportunities for sexual exploitation and negative perceptions of women that are afforded by SEVs. Bristol City Council is a signatory to the Zero Tolerance pledge, taking a zero tolerance approach to gender-based violence, abuse and exploitation. This is enshrined in Bristol's new Corporate Strategy. Bristol is a White Ribbon City, having pledged to prevent violence against women, and White Ribbon status requires that cities work towards having zero SEVs. The Police and Crime Commissioner for Avon and Somerset said about SEVs in August 2017: "If we truly believe in equality such places have no role to play #Bristol".

Bristol's latest Joint Strategic Needs Assessment[1] now includes a chapter on women's health which gives the Licensing Sub-committee access to data that should concern them greatly. There was a steep rise in sexual offences (rising in one year by 28% in Bristol against a national average increase of 21% - 84% of victims were female). Demand for sexual offence support services has never been higher. The Quality of Life Survey 2017-18 records that 25.2% of Bristol females reported being a victim of sex or gender discrimination in the past year. 39.4% of Bristol women say that sexual harassment is an issue in Bristol. A new report to Cabinet in February 2020 revealed that more than 10,000 domestic violence and abuse incidents and an estimated 6,200 sexual offences took place in Bristol in the previous year, with the great majority of victims being female.[2]

Local, national and international research and policy statements are entirely clear about the relationship between the sexual objectification of women (as practised and promoted in SEVs) and both gender inequality and violence against women including sexual harassment.

The World Health Organization Guidance for Policy Makers[3] is based on the most up to date research **evidence** and explicitly identifies your responsibility to make sure your public body is **challenging** (not upholding) 'harmful gender attitudes, beliefs, norms and stereotypes that uphold male privilege and female subordination', because these are the causes of violence against women. We also draw your attention to the newly updated HM Government strategy

1 https://www.bristol.gov.uk/documents/20182/1655362/JSNA+Chapter+Women%27s+Health+%28V14%29/9024901c-46fe-e13a-a194-0260ed22a3c1

2 Bristol Post, 7 February 2020 https://www.bristolpost.co.uk/news/bristol-news/were-more-10000-domestic-abuse-3819817

3 WHO (World Health Organization) (2019). RESPECT women: Preventing violence against women. Geneva: World Health Organization. (WHO/RHR/18.19). Licence: CC BY-MC-SA 3.0 IGO. https://www.unodc.org/documents/justice-and-prison-reform/WHO-RHR-18.19-eng.pdf

– *Ending Violence Against Women and Girls Strategy 2016- 2020*[49] - which makes explicit the links between gender inequality, violence and harmful social norms. The strategy says (p16):

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

These are the sexist norms, attitudes and behaviours that are exemplified in SEVs. The latest report from the UN (UNDP, 2020) names deep-seated discriminatory norms and gender stereotypes, such as those exercised by and between male customers and female performers in SEVs, as directly leading to inequality between the sexes.[4]

We also draw your attention to some of the newest peer-reviewed publications that add to the evidence we have submitted in the past:

- Objectification of the other sex is associated with severe psychological aggression and physical assault perpetration in males, but not in females (Johnson et al. 2018)[5]
- Women's mental health and positive emotions are negatively impacted by being sexually objectified and by witnessing the sexual objectification of others (Koval et al. 2019)[6]
- Men use the sexual objectification of women to reinforce their position over women in society (Bareket & Shnabel, 2019)[7]

The new LGA Equality Framework[8] standard for excellence says: "The organisation is able to show how they have made sure that even when making difficult decisions they continue to have clearly articulated and meaningful commitment to equality."

As we know from a new survey published by the Fawcett Society in October last year[9], public attitudes have changed and the public say that the boundaries of what is acceptable when it comes to gender inequality and violence against women have changed. As you will know, the Advertising Standards Agency has responded to evidence of harm by changing its guidelines to stop sexist advertising. The British Board of Film Classification has also

[4] UNDP (2020). Tackling Social Norms: A Game Changer for Gender Inequalities. 2020 Human Development Perspectives. New York: UNDP. http://hdr.undp.org/sites/default/files/hd_perspectives_gsni.pdf

[5] Johnson, M.R., Langille, I., & Walsh, Z. (2018). The Role of Objectification in the Victimization and Perpetration of Intimate Partner Violence. Violence and Victims, 33(1), 23-39. http://connect.springerpub.com/content/sgrvv/33/1/23

[6] Koval, K., Holland, E., Zyphur, M.J., Stratemeyer, M., Makovec Knight, J., Bailen, N.H., Thompson, R.J., Holland, E., Roberts, T-A., & Haslam, N. (2019). How does it feel to be treated like an object? Direct and indirect effects of exposure to sexual objectification on women's emotions in daily life. Journal of Personality and Social Psychology: Attitudes and Social Cognition, 116(6), 885-898.

[7] Bareket, O. and Shnabel, N. (2019). Domination and Objectification: Men's Motivation for Dominance Over Women Affects Their Tendency to Sexually Objectify Women. Psychology of Women Quarterly, Advance Online Publication. DOI: 10.1177/0361684319871913

[8] https://www.local.gov.uk/sites/default/files/documents/guidance%20-%20equality%20frameworks%20-%20Equality%20Framework%20For%20Local%20Government%20%28EFLG%29.pdf

[9] https://www.fawcettsociety.org.uk/news/majority-of-young-men-more-likely-to-challenge-sexual-harassment-since-metoo

launched new guidelines in response to increased public awareness about the harm and unacceptability of sexual violence. In their own words, "attitudes have moved on".[10]

It is time to listen to women, and to listen to the advice of those who are experts in gender equality. The effect upon gender equality of this SEV is the effect upon women who share the protected characteristic of sex. The question is not whether a small minority of women may be able to harness an unequal practice to their own personal advantage. On this basis we submit that the application for renewal be rejected.

We would add that there is absolutely zero evidence whatsoever that lap dancing clubs would exist 'underground' if they were not licensed as SEVs, and there is by contrast evidence that suggests that clear public policy decisions regarding the unacceptability of sexual exploitation reduces the demand for the sex trade, reduces any 'underground' activity and contributes to culture and attitude change among citizens in favour of equality.

Inappropriate location:

Residential character:
The premises are located directly adjacent to hundreds of residential apartments, and Bristol's Development Framework Core Strategy promises further residential development in the city centre including 7400 new homes in the city centre alone. **This by itself is grounds to refuse this application** – see the Court of Appeal Judgement in Thompson at our Appendix. Major increases to the university student residential population in the locality are also underway. This is also grounds in itself to refuse this application.

Character of the locality including leisure and family friendly facilities:
The premises are on the main street in the centre of Bristol.

Bristol's Development Framework Core Strategy (4.2.3) says:
"The city centre symbolises the city. It forms Bristol's historic core".
Not only does this area symbolise the city but it also attracts huge numbers of visitors and families because of the very nearby leisure attractions including the Hippodrome and the fountains where children play in the area designated by the City Council as the "Centre Promenade".

Bristol City Council describes the Centre Promenade thus:
"The Centre Promenade is a busy, dynamic, 24-hour city centre space with constant pedestrian and vehicle movement and is a very popular site for commercial promotions, advertising and markets. The Centre Promenade is the city's main bus and pedestrian travel hub and has a correspondingly high 24/7 footfall."

A traffic control trial recorded the following traffic and footfall at the Broad Quay/Prince Street Junction:
600 vehicles per hour
80-100 buses per hour

[10] http://www.bbfc.co.uk/about-bbfc/media-centre/bbfc-launches-new-classification-guidelines-and-calls-greater-age-rating

350-400 cyclists per hour
1300 pedestrians per hour.

Thousands of people every day who are attracted by business or leisure to the city centre or who need to take public transport in the city centre are passing near to and right by Urban Tiger. A SEV licence was refused in Leamington Spa with the reason given that a (small) number of residents of a local cul-de-sac had no realistic alternative but to have to walk past the club on their routes home. It has come to our attention that lawyers for an SEV in Sheffield recently used Bristol as an example of a city where an SEV is prominently located in the city centre. This argument was made to support the application in the other city. We do not want Bristol to be used and regarded in this way. When Philip Kolvin QC represented residents objecting to the renewal of the SEV that used to operate in Chester, he said "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". He said that the representations to the committee were “the workings of democracy”. Mr Kolvin asserted, “Lap dancing clubs and historic city centres trying to promote a family-friendly image are not a desirable mix, particularly with a growing residential population on the doorstep”. The council went on to refuse the renewal.[11] In another case where Mr Kolvin was employed by objectors in 2020, he said that to have an SEV in the busy shopping area in central London was “entirely inimical to the character of this area, as it is now, and as it is becoming, and also to the uses in the vicinity”. The council went on to refuse the licence.[12]

It is unacceptable that people (especially women, vulnerable people and minors) who wish to use the city centre are forced to pass by a sex club.

Those who pass by are faced with the threat of the “patrons” who are generally in a state of intoxication and arguably sexual excitement. A post written on Urban Tiger’s Facebook page (screenshot available) commented: “[name] and [name] left me feeling hornier than a fresian bull”. A report this year by Plan International (2020) discussed the finding that 66% of girls aged 14-21 have experienced unwanted sexual attention or harassment in a public place, saying:

“Girls do not feel safe in public and they do not feel their local areas are designed for them. They are dealing with relentless street harassment and changing their behaviour to avoid being targeted.” Girls and women who are sexually harassed by men on the street almost never report it to the police.

As legal proceedings elsewhere have made clear regarding SEVs, the committee is entitled to “take a fresh look” every year at whether it is minded to grant an application. Whether some things may have stayed the same since last year, such as the ownership of the club, other things have in fact materially changed.

On all these grounds we object to this application.

[11] https://www.cheshire-live.co.uk/news/chester-cheshire-news/chester-platinum-lounge-lap-dancing-9548112
[12] https://www.standard.co.uk/news/london/selfridges-wins-fight-to-stop-strip-club-opening-a4540431.html

B e f o r e :

THE MASTER OF THE ROLLS
LORD JUSTICE LONGMORE
and
LORD JUSTICE LLOYD JONES

Between:

R (ALISTAIR THOMPSON)	**Appellant**
- and -	
OXFORD CITY COUNCIL	**Respondent**
- and -	
SPEARMINT RHINO VENTURES (UK) LIMITED	**Intervener**

(Transcript of the Handed Down Judgment of
WordWave International Limited
A Merrill Communications Company
165 Fleet Street, London EC4A 2DY
Tel No: 020 7404 1400, Fax No: 020 7831 8838
Official Shorthand Writers to the Court)

Gerald Gouriet QC and Jeremy Phillips (instructed by Berwin Leighton Paisner LLP) for the Appellant
Ranjit Bhose QC (instructed by Jeremy Thomas, Head of Law & Governance of Oxford City Council) for the Respondent
Philip Kolvin QC (instructed by Robert Sutherland of Jeffrey Green Russell Ltd) for the Intervener
Hearing date: 27 January 2014

LORD JUSTICE LLOYD JONES:

Introduction.

1. This is an appeal by Mr. Alistair Lockwood Thompson ("the appellant") against the Order of Haddon-Cave J. dated 28 June 2013 dismissing his claim for judicial review of Oxford City Council's ("the Council") refusal on 24 September 2012 to renew a licence for a sexual entertainment venue ("the SEV licence") for a lap-dancing club known as "The Lodge" at Oxpens Road in Oxford.

The statutory background.

2. As originally enacted, the provisions in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("LGMPA 1982") concerning the licensing of "sex establishments" were limited to the regulation of sex cinemas and sex shops. They did not include other sexual entertainment venues such as strip clubs or lap-dancing clubs, which were subject to the licensing regime under the Licensing Act 2003. However in 2009 Parliament brought lap-dancing clubs within the licensing regime of Schedule 3 to LGMPA 1982. Section 27 of the Policing and Crime Act 2009 ("PCA 2009") amended the definition of "sex establishments" in paragraph 2 of Schedule 3 to LGMPA 1982 so as to include a "sexual entertainment venue". Local authorities were given the option of adopting Schedule 3 as amended so as to give effect to the new regime in their area.

3. By resolution passed on 19 April 2010 Oxford City Council resolved to adopt the amended Schedule 3 to LGMPA 1982. The resolution included the following statement:

   "(c) That "Sexual Entertainment Venues" are not generally appropriate near or in locations or areas containing any of the following:

   (i) Historic buildings or tourist attractions.

   (ii) Schools, play areas, nurseries, children's centres or similar premises.

   (iii) Shopping complexes.

   (iv) Residential areas.

   (v) Places of worship."

4. Whereas previously, under the Licensing Act 2003, licences had been of an indefinite duration, under the LGMPA 1982 licences for lap-dancing clubs may only be granted for a maximum of a year and therefore have to be renewed at least annually. Paragraph 8 of Schedule 3 gives appropriate authorities the power to grant or renew SEV licences and draws no distinction between fresh applications and renewal applications.

5. The statutory grounds for grant or renewal or refusal are set out in paragraph 12 of Schedule 3. Paragraph 12(2)(a) provides that the authority may refuse an application for the grant or renewal of a licence on one or more of the grounds specified in Paragraph 12(3) which provides as follows:

   "(3) The grounds mentioned in sub-paragraph (2) above are—

   (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;

   (b) that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;

(c) that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;

(d) that the grant or renewal of the licence would be inappropriate, having regard—

(i) to the character of the relevant locality; or

(ii) to the use to which any premises in the vicinity are put; or

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

(4) Nil may be an appropriate number for the purposes of sub-paragraph (3)(c) above.

(5) In this paragraph "the relevant locality" means —

(a) in relation to premises, the locality where they are situated; and

(b) ...."

Paragraph 10(2) of Schedule 3 provides:

"Where the appropriate authority refuse to grant, renew or transfer a licence, they shall give him a statement in writing of the reasons for their decision."

* **6.** The effect of paragraph 27 of Schedule 3 is that appeals against refusals on the grounds specified in paragraph 12(3)(a) and (b) are to a Magistrates' Court and then the Crown Court, **whereas refusals on the grounds specified in paragraph 12(3)(c) and (d) are subject only to review by the High Court.**

* 7. The Home Office Guidance on Sexual Entertainment Venues published in March 2010 states (at para. 3.36) that **"the relevant locality" does not have to be a clearly pre-defined area and that local authorities are free to conclude that it simply refers to the area which surrounds the premises.**

The Pennyfarthing Place premises.

8. The appellant had previously operated a similar establishment, also called The Lodge, at premises at Pennyfarthing Place in Oxford. A Public Entertainment Licence had been in force in respect of those premises from at least 1996. From 2007 the appellant and his business partner, Mr. Opher, ran The Lodge as a bar and nightclub as tenants of the landlord and licensee, Greene King Retailing Limited ("Greene King").

9. On 14 October 2009 Greene King applied for a licence variation to alter the layout of the premises in Pennyfarthing Place and to add the licensable activities of "film, performance of dance, facilities for making music and anything of a similar description". This variation was sought in preparation for the operation of the premises as a lap-dancing club. Objections were made to the variation, particularly in light of the proximity of the premises to St. Ebbe's Church. On 10 December 2009 Greene King's application for variation of the licence was granted. An appeal against the grant of the licence by the Rector of St. Ebbe's Church was subsequently dismissed by Oxford Magistrates' Court on 30 June 2010.

10. On 10 February 2010 the Council granted a licence to the claimants specifically for the operation of the Pennyfarthing Place premises as a lap-dancing club. The Lodge operated as a lap-dancing club continuously thereafter until March 2011 when a renewal of the licence was refused.

11. Following the Council resolution of 19 April 2010 adopting the new licensing regime under the amended Schedule 3 to the LGMPA 1982, the appellant had to apply for a licence under the new regime to enable the Pennyfarthing Place premises to continue to operate as a lap-dancing club. On 2

March 2011 the Council's Licensing and Registration Sub-Committee ("the Sub-Committee") heard the appellant's application for an SEV licence for the Pennyfarthing Place premises. The application was refused. On 1 April 2011 the appellant lodged a claim for judicial review of the refusal. The premises at Pennyfarthing Place were closed on 10 June 2011. The application for judicial review was subsequently discontinued on 22 September 2011 following the grant of an SEV licence in respect of the Oxpens Road premises.

The Oxpens Road premises.

12. The appellant decided to move the club to a new location at premises in Oxpens Road, Oxford, which had previously been occupied by a bar called The Coven. On 19 May 2011 he made an application for an SEV licence for those premises in Oxpens Road which are located about half a mile from the centre of Oxford.

13. On 12 July 2011 the Licensing and Registration Sub-Committee of the Council heard the application in respect of the Oxpens Road premises. The Committee was addressed by Mr. Gouriet QC on behalf of the appellant and by a number of objectors, including Mr. John Payne, Solicitor, for St. Ebbs Church. At the meeting Mr. Gouriet amended the application so that the licence, if granted, would permit the premises to open at 11.00 p.m. rather than 9.00 p.m.

14. On 18 July 2011 the Sub-Committee published its decision granting to the appellant an SEV licence for the premises at Oxpens Road for one year ("the 2011 decision"). It is necessary to set out the reasons in full:

"[The Sub Committee examined all the documents submitted and considered all the representations made at the hearing. It had particular regard to the written objections concerning the location of the premises and the Council resolution of 19/04/2010 (the Resolution) concerning generally inappropriate locations for sexual entertainment venues.

2. The Sub Committee noted that government guidance and case law made clear that moral objections to sexual entertainment were not relevant to consideration of the Application. With this in mind the Sub Committee disregarded any passages within the representations received which expressed moral concerns.

3. The Resolution states that "sexual entertainment venues are not generally appropriate near or in locations / or areas containing any of the following:

- Historic buildings or tourist attractions,
- Schools, play areas, nurseries, children's centres or similar premises,
- Shopping complexes,
- Residential areas,
- Places of worship,"

4. The Sub Committee noted that relevant locality is not defined in The Resolution nor in the applicable legislation or government guidance. Without a full assessment of the entire area The Sub Committee felt that it had insufficient information to allow it to define the dimensions of an exact area as the relevant locality, nor to reach a decision on the appropriate number of sex establishments in such an area.
5. However, for the purposes of deciding the Application the Sub Committee found that the relevant area in this case is the area near to the proposed premises. It further found that the only buildings sufficiently near the proposed premises to engage the Resolution, and which could fall within the categories set out, are the Oxford Ice Rink and Oxford and Cherwell Valley College. Neither fall squarely within any of the categories but the College is similar to a school and the Ice Rink does attract many children and tourists.

6. Despite the location of the College and Ice Rink the Sub Committee were satisfied that with the amended hours of operation at the proposed premises the College would be closed and public skating

sessions over well before any sexual entertainment began. There was evidence that private skating sessions took place after 23:00 but the Sub Committee found the risk of these sessions bringing children or vulnerable people into contact with the Premises was very low.

7. The Sub Committee noted the representations concerning proximity of the proposed premises to residential and shopping areas but found that whilst the premises are between the residential areas of St Ebbe's and St Thomas's they could not reasonably be considered to be in or sufficiently near them to engage The Resolution. Nor are they sufficiently near the Westgate shopping centre.

8. The Sub Committee also considered the representations concerning incompatibility of the proposed premises with planning policy aspirations for the west end of Oxford City. However, the Sub Committee had to base their view on the character of the relevant locality and nearby premises at the time of application and not as it may develop in the future. If granted any licence would in any event require annual renewal which would take into account the character of the locality at the relevant time.

9. The Sub Committee noted the Applicant had the benefit of a good track record in operating a sexual entertainment venue (SEV) at a similar Oxford premises and that Thames Valley Police did not object to the application. It was significant that the Applicant appeared willing and, from his track record, able to operate premises discreetly, anonymously and with no external indication as to the nature of entertainment taking place. Given the location of the Ice Rink, the College and coach parking area the Sub Committee found it particularly important that any SEV in the proposed location have no external indication of the type of premises or entertainment being carried on.

10. In considering The Resolution the Sub Committee focused on the harm it seeks to address or objectives it aims to achieve. In the absence of any specific detail in the Resolution on these points the Sub Committee found that among the primary concerns should be the welfare of children and prevention of nuisance and crime. With appropriate conditions the Sub Committee felt that the premises could operate without aggravating these aims.

11. Taking all these factors into account the Sub Committee found that whilst the Resolution was engaged at a low level in relation to the Ice Rink and College there were good reasons to believe the premises would not be inappropriate in the proposed location and an exception to the general position should be made in this case.

12. The Sub Committee found that in order to ensure the proper running of the premises it is necessary to attach conditions to the license. The Licensing Authorities Standard Conditions for Sexual Entertainment Venues should apply together with all conditions on the Applicant's existing premises licence at The Lodge so far as they relate to the carrying on of sexual entertainment, also the additional conditions offered by the Applicant during the hearing. These conditions should be combined in one clear schedule avoiding any duplication.

13. The Sub Committee had regard to the Human Rights Act 1998 and European Convention on Human Rights as well as its duty under the Crime and Disorder Act 1998. However, it found that it had heard no evidence that any person's human rights would be infringed by granting the application nor sufficient to convince it that any significant crime and disorder would be caused by the grant.

Decision: The Application as amended is granted subject to the conditions set out on the attached Schedule."

15. On 17 November 2011 The Lodge opened as a lap-dancing club in the premises at Oxpens Road.

16. In July 2012 the appellant applied to the Council to renew the licence. On 24 September 2012 a differently constituted Licensing and Registration Sub- Committee heard the application for the renewal of the SEV licence. On this occasion the appellant was represented by Mr. James Rankin of counsel who submitted that the question whether a licence for such an activity would be inappropriate having regard to the character of the relevant locality or the use to which the premises were to be put

had been examined in detail by the Sub- Committee in July 2011 and that there had been no change of circumstances since. He submitted that, in the light of the Sub-Committee's decision in 2011 that the grant of the licence would not be inappropriate on these grounds, to say otherwise now would be perverse.

17. A dozen objectors were present at the meeting, including a representative of the St. Ebbe's New Development Residents' Association. The Sub-Committee also had before it a large number of written objections to the application. A full account of those objections is given by Haddon-Cave J. in his judgment. For present purposes it is sufficient to refer to the following matters. First, there were objections on the ground that the renewal of the licence would be inappropriate having regard to the character of the locality and the use to which the premises were put. These focussed on The Lodge's proximity to the Ice Rink, the Oxford and Cherwell Valley College, the Oxpens Road Car and Coach Park and residential accommodation. A member of the City Council, objecting on behalf of some of his constituents, expressed the matter as follows:

    "[T]he granting of such a renewal would frustrate the four licensing objectives adopted by the Council in line with the national legislative requirements. The provision of a sexual entertainment venue at this unsuitable location close to the city centre, to housing and to major tourist and leisure facilities, will jeopardise the prevention of crime and disorder, public safety, and the prevention of nuisance. The proximity of such an establishment to two distinct quiet residential areas also risks clear and egregious conflict with all four objectives most critically, the fourth objective to secure the protection of children from harm because of the nature of sexual entertainment to be provided."

    Secondly, the Oxford Feminist Network submitted the results of a survey it had conducted of female local residents, seeking their views and experiences following the licensing of the Oxpens Road premises as an SEV. Some 108 responses were said to have been received. These included allegations of harassment by individuals who had left the club.

18. The judge considered that the gravamen of the objections was best summed up in the following passage from the written objection by the chair of St. Ebbe's New Development Residents' Association:

    "The Oxpens location is most inappropriate for entertainment of this sort. It is immediately opposite the Oxford and Cherwell Valley College, which is open for use by its adolescent pupils until 10.00pm. It abuts onto the coach park which is used regularly and frequently by school parties by all nationalities. It is about 100 yards from the Ice Rink which has night time sessions which are much used by student sporting groups. It would be hard to find a place in Oxford more full of impressionable young people to be intrigued by advertisement and present in the vicinity during the hours of operation of the club."

19. On 24 September 2012 the Sub-Committee published its decision refusing to renew the SEV license for the premises at Oxpens Road. It is, once again, necessary to set out the decision and reasons in full.

    "[T]he Sub Committee examined all the documents submitted and considered all the representations made at the hearing. **The Sub Committee had particular regard to the written objections concerning the location of the premises** and the Council resolution of 19/04/2010 concerning generally inappropriate locations for sexual entertainment venues.

    2. The Resolution of 19/04/2010 states that "sexual entertainment venues are not generally appropriate near or in locations / or areas containing any of the following:

    - Historic buildings or tourist attractions,
    - Schools, play areas, nurseries, children's centres or similar premises,
    - Shopping complexes,
    - Residential areas,
    - Places of worship,"

*

3. The Sub Committee found that the relevant locality for the purposes of deciding the application is the area near to the premises.
4. Taking into account the ground of refusal at paragraph 12 (d) of Schedule 3 of the Act the Sub Committee found that renewal of the license would be inappropriate having regard to the character of the relevant locality or use to which premises in the vicinity are put.

The Sub Committee reached this conclusion for the following reasons:

- [1] The premises are near to Oxford Ice Rink, Oxford and Cherwell Valley College and the Oxpens car and coach park. The Ice Rink is a facility which attracts many children, young people, families and tourists and the College is similar to a school. The Sub Committee therefore felt the Resolution of 19/04/2010 on generally inappropriate locations was engaged in respect of the Ice Rink and College.
- [2] The Oxpens car and coach car park, whilst not an 'attraction' in itself, nevertheless brings many tourists, visitors and local residents into the area of the premises at all hours. The operation of a sexual entertainment venue in the locality was therefore not appropriate.
- [3] The Oxpens road is a busy transport link and pedestrian route for visitors and residents living in the St Thomas and St Ebbs areas, a sexual entertainment venue was not appropriate in such a well used location.
- * [4**] The increasing concentration of student accommodation in the area**, including development of student housing at Luther Court, Mill Street and Park End St, meant an increased use of the locality by young and possibly vulnerable students as a route to and from their accommodation.
- [5] Many of the representations received indicated there had been a negative change in the character of the vicinity brought about by the opening of the premises.
- * [6] Many of the representations received indicated that the operation of premises **had created a hostile atmosphere in the locality and a heightened fear of the risk of sexual violence. Whilst acknowledging there was no evidence of any violent incidents attributable to the operation of the premises, the Sub Committee gave weight to the representations and felt the heightened fear reported was at least in part due to the existence of the premises and the type of entertainment it operated.** The Sub Committee were mindful of the Council's duty under section 17 of the Crime and Disorder Act 1998 to take reasonable steps to prevent crime and disorder.
- [7] Of particular concern were reports contained in the representation of Louise Livesey concerning incidents of harassment by users of The Lodge toward a user of the Ice Rink. Whilst recognising these reports were both anonymous and hearsay and accordingly carried limited weight the Sub Committee nevertheless took some account of them.

* 5. **The Sub Committee recognised that its findings were a departure from the Council's decision to grant the license in July 2011 but found that as a differently constituted Sub Committee with the benefit of evidence concerning the operation of the premises over the last year they were entitled to reach a different conclusion.**
6. The Sub Committee were aware of the human rights considerations as set out in paragraphs 26 and 27 of the Head of Environmental Development's report, but found that the Applicant's right to protection of his licence was not a right so significant as to override their own calculation of the public interest.

Decision: The Application is refused on the grounds that a sexual entertainment venue at the Premises would be inappropriate, having regard to the character of the relevant locality and the use to which other premises in the vicinity are put."

The Judicial Review.

20. In his application for judicial review the appellant sought to challenge the Council's decision of 24 September 2012 on three grounds.

(1) Apparent bias on the part of a member of the Sub-Committee.

(2) Insufficiency of reasons.

(3) Taking into account irrelevant and/or inaccurate considerations.

21. The judge dealt with the allegation of apparent bias at the start of the hearing. He dismissed this part of the application on the ground that the appellant had failed to raise any objection to the composition of the Sub-Committee prior to or at the meeting on 24 September 2012. (See ***Locabail (UK) Limited v Bayfield Properties*** [2000] QB 451, per Lord Bingham at para 69.) In his reserved judgment the judge stated (at para 39) that he would in any event have dismissed the apparent bias ground on the merits. There has been no attempt to challenge this ruling.

22. On the challenge based on the adequacy of reasons given by the Sub-Committee, the judge considered that when the reasons were read fairly, as a whole and against the background of the representations made at the hearing by the parties, the reasons were intelligible, adequate and enabled the informed reader to understand the principal important controversial issues and why the application for renewal had been refused when previously a licence had been granted. Furthermore the reasons were "properly relevant to the ground for refusal". In this regard he considered that six of the specific matters referred to by the Sub Committee were new or substantially new matters and that three related to entirely fresh factors or circumstances, namely the reported effect of the operation of the club on the area in the previous twelve months. In his judgement, when considered cumulatively, they represented a reasonable, comprehensive and comprehensible catalogue of reasons explaining objectively a change of heart from the 2011 decision and a refusal to renew in 2012.

23. So far as the third ground is concerned, it had been submitted on behalf of the appellant that the Sub-Committee erred in taking into account an "increasing concentration of student accommodation in the area" because incomplete developments were not relevant to assessing the present character of the area and there was insufficient evidence to justify such findings. The judge concluded that the Sub-Committee was entitled to take into account both the present and future character of the area under Paragraph 12(3)(d). He considered that prospective licences required a prospective view. The fact that an area was developing and in a continued state of change was a relevant consideration as to why renewal might be appropriate. Furthermore he considered that there was ample evidence before it to justify the conclusion of the Sub Committee.

Ground 1: The learned judge was wrong to hold that the reasoning of the Court of Appeal in *Dunster Properties Ltd v. The First Secretary of State* [2007] EWCA Civ 236 (duty to explain departure from decision of previous planning inspector) was not applicable to licensing cases.

Ground 2: The judge was wrong to reject the appellant's claim that the licensing sub-committee refusing him renewal of his licence (granted the previous year under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982) had failed to give an adequate and intelligible explanation for departing from the reasoned decision of the differently constituted sub-committee that granted him the licence.

24. Grounds 1 and 2 may conveniently be considered together.

25. **The Schedule 3 regime gives a wide discretion to licensing authorities, in particular in forming value judgements as to whether the grant or renewal of a licence would be appropriate having regard to the character of the locality.** This is reflected in the provisions of paragraph 27 of Schedule 3 which distinguishes between appeals against refusals on the grounds specified in paragraph 12(3)(a) and (b) which are subject to appeal to the magistrates' court and the Crown Court, and appeals against refusals on the grounds specified in paragraph 12(3)(c) and (d) which are subject only to review by the High Court. As the judge pointed out, this **indicates an intention to give local authorities a wide discretion under sub-paragraphs (c) and (d). Moreover, the fact that the maximum term of an SEV licence is twelve months indicates that local authorities are to keep these matters under frequent review.**

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26. The argument before us centred on the significance of a previous decision in which a differently constituted Sub-Committee had come to a different conclusion on the question of whether the grant or renewal of a licence would be appropriate having regard to the character of the locality and the use to which the premises in the vicinity were put.

27. In ***R v Birmingham City Council ex parte Sheptonhurst Limited*** [1990] 1 All ER 1026 the applicant sought judicial review of decisions by four local authorities refusing to renew licences for sex shops in their respective districts under the LG(MP)A 1982, the provisions applicable in the present case. The main question for consideration was whether the discretion to refuse to renew a licence is different from the discretion to refuse to grant a licence and, if so, what limitations there are upon the discretion to renew. The applicant had submitted that the renewable licence could not be refused on ground 3(d)(i) unless there had been some change in the character of the relevant locality since the grant or renewal of the licence. In two of the cases, Mann LJ, sitting as an additional judge of the Queen's Bench Division, had rejected this submission:

* **"It is to be observed that the statute imposes no constraint upon a Local Authority's discretion when it is considering a renewal. The legislature must be taken to know that a Local Authority is a body of changing composition and shifting opinion, whose changes and shifts reflect the views of the local electorate. In my judgement it is not perverse to refuse a renewal where there is no change in the character of the relevant locality or in the use to which any premises in the locality are put. What is "appropriate" may be the subject of different perceptions by different elected representatives. In assessing what is "appropriate" any particular body of elected representatives confronted with an application for a renewal should take into account the previous grant, but in my judgement their obligation is no more than that. In both cases before me the previous licence was a factor before the decision takers. In both cases the principle ground of challenge therefore fails."**

28. **The Court of Appeal agreed.** O'Connor L.J. stated:

"…[W]here Parliament, having expressly limited the grounds on which a licence may be refused, has drawn no distinction between grant and renewal of the licence and provided that a licence shall not last for more than a year, then it seems to me that to accede to Mr. Tabachnik's submission [that Parliament cannot have intended that the vagaries of local opinion should be determinative of an existing trader's rights to continue to trade] would be to introduce a fetter on the discretion of the Local Authority in cases of renewal which Parliament has not done. However, although the discretion is unfettered, there is a difference between an application for grant and an application for renewal and that distinction, as the cases have pointed out, is that when considering an application for renewal the Local Authority has to give due weight to the fact that a licence was granted in the previous year and indeed for however many years before that. It is of particular importance that the licensing authority should give due weight to this fact in this field, for I do not doubt that there is opposition to sex shops on grounds outside the limits imposed by paragraph 12 of the Schedule. I have come to the conclusion that the licensing authority were entitled to have a fresh look at the matter**… In a case where there has been**

* **no change of circumstances, if the licensing authority refuses to renew on the ground that it would be inappropriate having regard to the character of the relevant locality, it must give its reasons for refusal: see paragraph 10(20) of the Schedule. If the reasons given are rational, that is to say properly relevant to the ground for refusal, then the court cannot interfere.** I believe this to be the true protection for a licence holder applying for renewal against a wayward and irrational exercise of discretion. The fact that in previous years the licensing authority did not chose to invoke those reasons for refusing to grant or renew the licence does not make the reasons irrational."

29. On behalf of the appellant it is suggested that the judge misinterpreted this passage. The appellant submits that in the present case the judge concluded that it was sufficient if it could be inferred objectively why the refusing Sub-Committee came to a different decision. There is no basis for this criticism. While the judge concluded that there was no reason why the 2012 decision needed to comment seriatim on the reasons for the 2011 decision, he clearly proceeded on the basis that there was a need to provide an explanation for the departure. In his view adequate reasons were given.

Accordingly I can see no distinction between the approach of the judge in the present case and that of Sales J. in ***R (KVP ENT Limited) v. South Buckinghamshire District Council*** [2013] EWHC 926 (Admin).

30. Another decision to the same effect is that of the Court of Appeal in ***North Wiltshire DC v. SSE*** (1992) P & CR 137 where Mann L.J. emphasised that in such circumstances the decision maker is free to disagree with the earlier judgment but before doing so he should have regard to the importance of consistency and give his reasons for departure from the previous decision.

31. The appellant also relies on ***Dunster Properties Ltd v. First Secretary of State*** [2007] EWCA Civ 236. There, Dunster had sought planning permission for a first floor extension to a residential property in Chelsea. There were two successive decisions by planning inspectors. The first inspector, Mr. Sargent, rejected an objection in principle to there being any extension at first floor level but dismissed the appeal on the basis of the particular designs. Dunster then applied for planning permission on the basis of different designs. On this occasion, when the matter came on appeal before a different inspector, Mr. Mead, the inspector rejected the planning authority's objections to the particular design but upheld the objection in principle. Mr. Mead clearly took an entirely different view on the issue of principle from that expressed by Mr. Sargent. However the only reference in the second decision to the earlier decision was this statement:

    "I have no comments on either of those two remarks other than to state that each case is judged on its own merits and my conclusions on the current scheme are given above."

32. The Court of Appeal quashed the second decision. It considered that it was for Mr. Mead to exercise his planning judgement in relation to the application before him. Not only was he not in any sense bound by the reasoning in the previous decision but it was not even a starting point for his process of judgement and reasoning. Nevertheless Mr. Sargent's conclusions on the point of principle were a material consideration which Mr. Mead had to take into account. The Court of Appeal considered that, although not much may have been called for by way of reasons, those given by Mr. Mead were inadequate. Lloyd L.J. (at paragraphs 21 – 23) observed that in that case the reader could not tell why the inspector had disagreed with his predecessor on this issue and that, accordingly, the salutary safeguard of requiring reasons in order to demonstrate that the decision was based on relevant and rational grounds had not performed its intended function. In his view it appeared that Mr. Mead had not faced up to his duty to have regard to the previous decision and had failed to "grasp the intellectual nettle of the disagreement, which was what was needed if he was to have proper regard to the previous decision". Either he did not have a proper regard to it, in which case he had failed to fulfil the duty to do so, or he had done so but had not explained his reasons, in which case he had not discharged the obligation to give his reasons.

33. In the present case the judge considered ***Dunster*** of limited assistance and sought to distinguish it on three grounds. First, he considered that ***Dunster*** was "a pure planning case" and not a licensing case, whereas in the present context local authorities were entitled to take a fresh look at the matter and effectively were entitled to change their mind from one year to the next. Secondly, it was a decision on its own particular facts, involving a refusal by the second inspector to give reasons for differing from the previous decision notwithstanding a specific request to do so. Thirdly, ***Dunster*** involved a static matter, namely the aesthetic significance of retaining a gap above a house, whereas the present case involved consideration of dynamic matters.

34. To my mind, the principles stated in ***Dunster*** are of general application and are not limited to planning cases. The explanation provided by Lloyd L.J. as to why the reasons provided were inadequate was in no sense dependent on the planning context; on the contrary it flows from the function of reasons as a safeguard of sound decision making. Moreover, I do not consider that ***Dunster*** turned on its particular facts or the refusal to give reasons following a request. Accordingly, I consider that while it was open to the Sub-Committee in the present case to depart from the decision of its predecessor, it was under a duty to take account of the earlier decision, to grasp the nettle of any disagreement with the earlier decision and to state its reasons for coming to a different conclusion. That obligation to give reasons arises at common law but is reinforced in the present case by paragraph 10(2) of Schedule 3. The third ground of distinction relied on by the judge – that the present case was concerned with dynamic matters – is better considered in the context of the actual decision.

35. In summary, therefore:

(1) On an application to renew an SEV licence it is not necessary for an objector to demonstrate that something has changed since the decision granting the licence. Were the position otherwise, the efficacy of annual reconsideration would be much reduced.

(2) However, the decision maker has to have due regard to the fact that a licence was previously granted.

(3) If there is no relevant change of circumstances, the decision maker has to give his reasons for departing from the earlier decision.

36. Mr. Gouriet placed at the forefront of his oral submissions the 2011 decision which found that the only buildings sufficiently near the proposed premises to engage the Council's resolution were the Ice Rink and Oxford and Cherwell College. While neither fell squarely within any of the categories of the resolution, the Sub-Committee accepted that a College is similar to a school and that the Ice Rink attracted many children and tourists (paragraphs. 4, 5). However, it was satisfied that the effect of the amended hours of operation – the application had been amended at the meeting so that the club would not open until 11.00 pm – would be that the College would be closed and public skating sessions over well before any sexual entertainment began (paragraph 6). Furthermore, Mr. Gouriet pointed to the treatment of representations concerning the impact of the club on the character of the locality. Here the Committee attached considerable weight to the fact that the appellant appeared willing and, from his track record, able to operate premises discreetly, anonymously and with no external indication as to the nature of the entertainment taking place (paragraph 9). On this basis, he submitted, the Committee concluded that while the resolution was engaged at a low level in relation to the Ice Rink and the College, there were good reasons to believe that the premises would not be inappropriate in the proposed location and an exception to the general position under the resolution should be made in this case (paragraph 11).

37. Turning to the 2012 decision that the renewal of the licence would be inappropriate having regard to the character of the relevant locality or use to which premises in the locality are put, Mr. Gouriet submitted that the dominant factors said to support the decision were points 1 -3 in paragraph 4. In particular, he submitted that point 1 draws attention to the existence of the Ice Rink and the College – institutions addressed in the 2011 decision – while failing to address at all the solution provided by opening hours which was accepted by the Committee in 2011. Mr. Gouriet submits that while, in principle, that conclusion in the 2011 decision might be overcome by other factors, the 2012 decision fails to identify any such factors. Similarly, he draws attention, as dominant considerations in the reasoning of the 2012 decision, to points 2 and 3 which relate to the presence in the area of tourists, visitors and local residents at all hours because of the car and coach park, and the busy pedestrian and transport link along Oxpens Road. These considerations, the 2012 decision concludes, show that the operation of a sexual entertainment venue in the locality was not appropriate. In so concluding, Mr. Gouriet submits, the Committee failed to address the solution accepted in the 2011 decision, namely the anonymity and discrete character of the premises.

38. In these circumstances, it is submitted on behalf of the appellant, that the Committee in taking its 2012 decision failed to give due weight to decisive factors in the 2011 decision and failed to grasp the nettle by explaining its departure from the earlier decision.

39. To my mind, the answer to this submission is provided by the Committee's statement at paragraph 5 of the 2012 decision that it recognised that its findings were a departure from the 2011 decision but that it considered that, as a differently constituted Committee "with the benefit of evidence concerning the operation of the premises over the last year", they were entitled to reach a different conclusion. When that passage is read in the light of the preceding discussion of matters relating to the impact of the club on the nearby area, it is clear that the Committee was persuaded that what had been seen as solutions in 2011 – limitation of opening hours and anonymity of the premises - were insufficient to meet the perceived mischief.

40. Contrary to the submission of Mr. Gouriet, it does not appear that points 1 – 3 are given any primacy in the decision. They refer in turn to static land use and other land use and provide a description of the area which is necessary for what follows which relates to changing circumstances of different kinds. Point 4 finds an increased use of the locality by students as a thoroughfare. Point 5 refers to representations indicting that there had been a negative change in the character of the vicinity brought about by the opening of the premises. Point 6 states that many of the representations indicated that the operation of the premises had created a hostile atmosphere in the locality and heightened fear of the risk of sexual violence. Point 7 refers to reports of incidents of harassment of members of the public by users of the club.

41. Although Mr. Gouriet sought to question the weight and reliability of the evidence on which the Committee relied in coming to its conclusions in relation to the impact of the club's operation on the area, there was in fact a considerable body of evidence relating to the impact of the club on the area in the first year of its operation. The Oxford Feminist Network made written submissions objecting to the renewal of the licence. This included the results of its survey of local residents to which 108 responses had been received. There were direct quotations from the **responses of four women**. The first states that men coming from the club had jeered and "made horrible comments about my body and way I dress" in a manner which made her feel threatened. (I am satisfied that the terms and context of this quotation make it clear that it does refer to The Lodge and is not a general statement about such clubs.) A second explains that she has to go past The Lodge every Wednesday as she goes to midnight ice hockey; she states that she has often felt uncomfortable walking past it and has on two separate occasions been harassed in the street by individuals who have left the club. The third, who lives in Oxpens Road, states that she feels threatened when she has to walk or cycle home at night; she feels isolated when the only other people there are on their way to or from the club. The fourth states that when walking past The Lodge she has had cars stop and ask if she is a prostitute and has had sexual expletives shouted at her from other cars. She tries to avoid the area, especially after dark, as she fears that one day the problem will escalate to something worse than verbal abuse. Doorstep consultations with other residents had led to reports of men leaving the club shouting sexually explicit epithets whilst walking down the street, urinating in doorways, ripping drainpipes and other fixtures from their holdings and, more rarely, climbing fences into gardens whilst drunk, leaving residents feeling unsafe and being forced to ring the police on more than one occasion. Local businesses reported that their staff and customers were racially abused by men leaving the club, demanding the use of a payphone to telephone prostitutes. I accept, as did the Committee, that this evidence is hearsay evidence from anonymous sources and therefore carries less weight than might otherwise be the case. Nevertheless, I consider that the Committee was entitled to have regard to this evidence and that it is capable of sustaining the Committee's conclusions.

42. On a fair reading of the 2012 decision, it is clear that the Committee concluded on the evidence relating to the club's operation over the previous year that the limitation of opening times and absence of external indications as to the nature of the activities taking place had not been sufficient to protect the character of the area.

43. I should refer at this point to a further matter concerning points 3 and 4 of paragraph 4 of the 2012 decision. Point 3 draws attention to the fact that Oxpens Road is a busy transport and pedestrian route. **Point 4 states that the increased concentration of student accommodation in the area has given rise to an increased use of the locality by students as a route to and from accommodation. This was clearly a matter to which the Committee attached weight.** In my view, subject to certain other objections which are considered subsequently, it was a further new matter to which the Committee was entitled to have regard and did regard in departing from the 2012 decision.

44. Both Mr. Gouriet and Mr. Philip Kolvin QC, in his written submissions on behalf of the intervener, have submitted that before a decision maker may depart from an earlier decision in relation to the same matter he must address each material consideration in the earlier decision and explain whether and, if so, why he takes a different view as to its significance**. This seems to me to go much too far and to place an undue burden on the decision maker.** I consider that the guidance as to what is required by way of reasons in a planning context provided by Lord Brown in ***South Buckinghamshire District Council v Porter (No. 2)*** [2004] UKHL 33 (at paragraphs 35-6) applies equally in this context. In the present case it is sufficient that the 2012 decision makes clear on a fair reading that evidence concerning the operation of the premises over the preceding twelve months, other changed circumstances and the features of the matters previously addressed which it considered significant led it to a different overall conclusion.

45. Finally, in this regard, I should record that, contrary to the submission of Mr. Kolvin QC on behalf of the intervener, 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.

Ground 3. The judge was wrong to hold that in assessing the "character of the relevant locality" for the purposes of deciding (under paragraph 12(3)(d) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982) whether the renewal of a licence would be appropriate having regard to that character, a licensing authority was entitled to have regard to proposed future development; in particular, to applications for planning permission, believed by the authority to be pending, but not yet lodged at the time of the licensing hearing.

46. On behalf of the appellant Mr. Gouriet submits that the Committee in coming to its 2012 decision had regard to irrelevant considerations namely building developments which had not been completed. The evidence before the Administrative Court was that the developments of student housing refers to the following developments:

(1) A development at Luther St. including 82 student study rooms for which planning permission was granted on 7 November 2012, subject to a legal agreement which at 4 June 2013 had not been completed.

(2) A development at the rear of Mill Street including 55 student study rooms for which planning permission was granted in February 2012 and which had not been implemented.

(3) A development at the rear of Park End Street including 44 student study rooms. This scheme was first submitted to the Council in 2011. Planning permission was granted on 9 February 2013 and construction began in March 2013.

(4) A development at Pembroke College including 123 student study rooms construction of which began in 2010 or 2011 and which has been in use since October 2012.

It is only the first three which are referred to in point 4 of paragraph 4 of the 2012 decision.

47. Mr. Gouriet submits that unless it can be demonstrated that a proposed development will actually be completed within the time period of a licence, it should not be taken into account. Furthermore, he submits that if it is shown that a development which would make the grant of a licence inappropriate will have been completed within a period of twelve months, a Council should grant a licence for a shorter period. In this regard he draws attention to the following statement in the 2011 decision:

"The Sub Committee also considered the representations concerning incompatibility of the proposed premises with planning policy aspirations for the west end of Oxford City. However, the Sub Committee had to base their view on the character of the relevant locality and nearby premises at the time of application and not as it may develop in the future. If granted any licence would in any event require annual renewal which would take into account the character of the locality at the relevant time."

48. The appellant relies on an observation of Turner J. in ***R v. Wandsworth LBC, ex parte Darker Enterprises Ltd.*** (1999) 1 LGLR 601. There the Council had refused to renew an SEV licence on the ground that the locality had changed so that the premises were no longer in keeping with the changed circumstances. The judge observed that on the occasion of the previous renewal it would not have been open to the Council to have refused the application on this ground because the process of improvement was, at that time, incomplete.

49. I have difficulty in accepting that there is room in this context for such a rigid rule limiting consideration to developments which are complete or which will be completed within the period of the licence. 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. In this regard I note that in ***Sheptonhurst***, in the appeal concerning the decision of Norwich City Council, this court appears to have accepted that planned or ongoing development was relevant to an assessment of the character of the locality and to the appropriateness of grant or renewal. (See O'Connor L.J. at pp. 15-16.)

50. 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.

51. However, it is not necessary to decide this issue because I am satisfied that the point being made by the Committee in point 4 is a very different one. It is not saying that new student accommodation in the vicinity would *per se* make the presence of the club inappropriate. (In this regard, I note that the developments referred to are not in the immediate vicinity of the club.) Rather it is making a point about the use which is made of Oxpens Road as a pedestrian route to and from student accommodation. It states that the increasing concentration of student accommodation in the area means an increased use of the locality by young and possibly vulnerable students as a route to and from their accommodation. As such it is a development of the point made in point 3 that Oxpens Road is a busy transport link and pedestrian route for visitors and residents. The references to individual developments may be to developments still in design or construction, but they are put forward as examples of the general proposition that student accommodation is increasing. The decision might, instead, have referred to the development at Pembroke College which was occupied in October 2012, a matter of days after the decision.

52. For these reasons I do not consider that the Committee took account of an irrelevant consideration in referring to the increasing use of Oxpens Road as a route to and from student accommodation.

Ground 4. The learned judge did not address the appellant's complaint that he had been denied the opportunity at the licensing hearing to respond to the alleged 'future development', because the matter was not raised then, and appeared for the first time in the authority's written decision of 18 September 2012."

53. Mr. Gouriet submits that the appellant was given no advance notice of the point relating to new student accommodation in the area, no reference having been made to the matter until it appeared in the written decision of 24 September 2012. Accordingly, he submits that Mr. James Rankin, who represented the appellant at the meeting, was disadvantaged. Had proper notice of this point been given, Mr. Gouriet suggests, it would have been possible to make enquiries as to the likely date of completion of the projects referred to and to demonstrate that the three referred to in the decision lay some way in the future. Moreover, it is submitted that had the appellant and his advisers been aware that these matters were considered significant, it would have been possible to seek a licence for a shorter period than twelve months.

54. This point, which is really a point on natural justice, does not appear to be addressed by the judge.

55. For reasons set out earlier in this judgment, I consider that the point being made in the decision is not that new student accommodation per se makes the grant of a licence inappropriate. Rather, the point being made goes to the use of Oxpens Road as a pedestrian route to and from student accommodation. The use of Oxpens Road as a busy transport link and pedestrian route was not a new point and cannot have taken Mr. Rankin by surprise. It was clearly in issue at the meeting of the Committee. Thus, for example, the report by the Oxford Feminist Group includes a number of references to the use of Oxpens Road by members of the public who have to pass the club. Indeed the point is made that these are in very high numbers because of the proximity of the club to major transport hubs.

56. Notwithstanding the fact that this was a live issue of which the appellant had notice prior to the meeting, Mr. Rankin's address to the meeting does not appear to have dealt with the point at all. This, I would suggest, is entirely understandable. His case was that the restriction of opening hours and advertising had addressed any problem that might otherwise arise from the presence of the club in this area. The extent of pedestrian use of Oxpens Road was irrelevant to that submission. In these circumstances, it is unrealistic to suggest that had he been provided with this information about student accommodation in advance he would have addressed it or that the appellant has been prejudiced in any way as a result.

Conclusion.

57. I would dismiss the appeal.

LORD JUSTICE LONGMORE:

58. I agree.

THE MASTER OF THE ROLLS:

59. I also agree.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

Information in this table is to be kept strictly confidential	
Full name of objector:	
Full postal address of objector:	
Contact telephone number:	
Email Address if appropriate:	

Detail of application	
Name of applicant:	Nightlife Bristol Limited, Urban Tiger (Reference: 20/03322/SEV)
Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25th August 2020
Date by which objections must be received:	22nd September 2020

Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.

I strongly object to the granting of this licence on grounds of geographical location and proximity to locations where children and families will be passing. It is not compatible with the character of the city centre to have a sexual entertainment venue - where access to women's bodies is exchanged for money - in the heart of a city which prides itself on adhering to the Sustainable Development Goals and offering a safe and high quality night time economy.

I would further point out that granting a licence for this activity would appear to be incompatible with the city council's obligation to act in accordance with the Public Sector Equality Duty in that it undermines equality between men and women.

I ask the committee to refuse this licence and I await the long overdue review of the SEV policy. It is time for a nil cap on SEVs in Bristol.

Continued from page 1:

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
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Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.

I am writing to object to the above application for a sex entertainment venue (SEV) licence for adult entertainment for the above premises on the basis of inappropriate location and because of the impact of the club on women and children.

Please prioritise your duties and obligations under Equality law and make your decision on that basis, which is the right that Parliament gave you under the relevant legislation. In Bristol we put equality first.

Location

The Council's policy states that it will consider whether premises in the vicinity are put to any of the following uses (among others):

- residential, in particular homes occupied by families
- leisure
- educational establishments
- churches and other places of worship
- family friendly facilities
- women's refuges

- community centres
- parks and other open spaces
- public transport

Each year is an opportunity to look with “fresh eyes” at whether a licence should be granted. The law and case law are clear on this. The Licensing Committee is exercising its duties entirely properly when it takes a critical look at the grounds and makes a decision that is rational and based on its own criteria, that the locality is inappropriate. Policy sets a maximum permitted number, not an “expected number”.

In considering the application, please note that the premises is in fact in the locality where all of these uses are on the doorstep.

It is situated in a busy area of the city which women and children have to pass by or make significant efforts to avoid. The city belongs to women just as much as it does to men and women have told the Council that they do not feel safe, equal or valued when they see and have to pass by these venues.

Immediate Impact on women and children

Women know that the clientele of these venues are disproportionately sexist men, who are more likely to verbally harass them. They also know that stag parties often made up of large groups of men likely to be drinking heavily are a key customer base. Women self-select away from areas where the sex trade including SEVs have a presence.

Club security may enforce the code of conduct to protect the performers inside the club but does not protect the public outside the club, and in effect puts the problem it has created outside, for the general public to deal with.

Incompatibility with equality aims

Granting such a licence is incompatible with Bristol’s commitment in all its city statements and policies to prioritise equality - which means that paying ‘due regard’ to its obligations under the Public Sector Equality Duty should be the especially important for councillors. Granting a licence is also incompatible with the European charter for equality of men and women in local life which Bristol has signed. It is also incompatible with Bristol’s “White Ribbon City” status which requires it to work towards having no SEVs in the city.

In addition, Bristol City Council was awarded White Ribbon status in 2013 which includes the commitment to having no sex entertainment venues in the city. This is because White Ribbon recognises that the presence of SEVs results in negative attitudes towards women and girls. It has been six years since Bristol City Council signed this commitment and it is no closer to working towards having no SEVs in the city. The City Council needs to actively demonstrate its commitment by fulfilling this part of the requirement. White Ribbon UK have confirmed that Bristol is in breach of its undertakings by continuing to grant SEV licences.

Continued from page 1:

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

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Detail of application	
Name of applicant:	Nightlife Bristol Limited, Urban Tiger (Reference: 20/03322/SEV)
Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25th August 2020
Date by which objections must be received:	22nd September 2020

Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.

As xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx I am objecting to this application. The grounds for the objection are prevention of violence against women through the normalisation of sexual objectification, and action against entitlement, which need to be interpreted through the licensing objective 'prevention of crime and disorder' and in view of the obligation of the council to comply with the Public Sector Equality Duty in all its work.

The Local Government (Miscellaneous Provisions) Act 1982 in Schedule 3, paragraph 12 outlines the grounds on which a licence may be refused. We are submitting this objection pursuant to Schedule 3, paragraph 12(3)(d), by maintaining that the renewal of the licence would be inappropriate, having regard to:

i. The character of the relevant locality; and

ii. The use to which any premises in the vicinity are put.

Your policy states that you will consider whether a particular application is appropriate, taking into account among other factors:

· The proximity to places where the public congregate for purposes other than use of the

premises, such as bus stops and taxi ranks

- The nature and style of the relevant entertainment that is proposed
- The nature of the clientele it is likely to attract and their number
- The risk of nuisance to others engaged in legitimate activity

And whether premises in the vicinity are put to any of the following uses:

- Residential
- Leisure
- Educational establishments.

We submit that the premises are too close to all the transport hubs that are found in the area frequented by our students and staff, too close to new residential accommodation (including University accommodation) in the city centre and too close to our University establishments in the city centre. Further we are of the view that the presence of this sexual entertainment venue in Bristol City Centre does not enable the City Council to meet its obligations under the Public Sector Equality Duty as introduced by the Equality Act 2010, and impedes our own ability to do so as well.

It is our view that there should be no spaces in the city centre which create an intimidating, hostile, offensive or degrading environment for xxxxxx students or staff and we find that there are students and staff who are affected in this way by the presence of this venue. Further, this impact is gendered: it is students and staff who share the protected characteristic of being female who are affected disproportionately in this way.

In 2016 Universities UK, the representative body for university leaders in the UK, published the "Changing the Culture" report which examined violence against women, harassment and hate crime affecting university students. The investigation into this matter was at the request of the Minister for Universities and the report was considered by the Women and Equalities Select Committee in Parliament, which has repeatedly cautioned universities that sexual harassment "and other violence against women is blighting women's experiences of university". The UUK report stated that universities have a duty to ensure that all students are able to "enjoy a safe and positive experience at university" and that the potential impact of any sexual violence on a student is so serious in nature that universities must be equipped to respond effectively and also to engage in prevention initiatives. A survey carried out by the End Violence Against Women Coalition in 2016 found that 85 per cent of women aged 18-24 reported that they had experienced unwanted sexual attention in public places and 45% had experienced unwanted sexual touching. The role of universities in tackling these issues is therefore extremely important.

Since the release of this report, xxxxxx has responded proactively to the recommendations and made significant progress in meeting the requirements set out in that and subsequent reports. A clear focus of our work is prevention activities and our experts in understanding sexism and sexual violence lead on this work. The prevention of gender-based violence against xxx female students rests on, and cannot be achieved without, fostering positive attitudes among our male students:

· against the sexual objectification of women and its normalisation; and

· against any sense of entitlement to foist unwanted sexual attention – and violence – upon women.

It is our position that the continued licensing of a sexual entertainment venue in Bristol City Centre normalises sexist and misogynistic behaviour. Attitudes and behaviours that in any other workplace or public environment would be considered to be sexual harassment and discrimination, are legitimised in sexual entertainment venues. It is naïve to believe that these attitudes and behaviours are not carried beyond the venue into society, and therefore we assert that the presence of this sexual entertainment venue in Bristol City Centre does not eliminate discrimination, harassment and violence, it does not advance equality of opportunity, and it does not foster good relations.

We are committed to cultivating a tolerant, respectful environment for our staff and students, within which violence, harassment and hate crime of any kind has no place. We have an excellent working relationship with Bristol City Council and have achieved so much for the regeneration of the city centre together.

Subsequent to the letter we submitted last year, we ask that you take this further objection into account and that you do not renew this licence.

Continued from page 1:

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

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I believe the application should be refused based upon the Councils obligations under equality legislation to promote equality and eliminate harassment. There is substantial evidence that the presence of a nearby lap dancing clubs leads to attitudes which condone the commodification of women and directly to attitudes which are incompatible with equality

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We, xxxxxxxxxxxxxx, continue to object to the presence of any SEV in the city centre area for the following reasons:

Location: - linked to Discretionary grounds for refusal C & D

- The club is located in one of the busiest areas of the city, opposite the Hippodrome and nearby Colston Hall. Alongside the club are bus stops, taxi ranks and of course the increased accommodation for students. It is not possible for the club to be discreet in such a locality and it is highly likely that customers will spill out onto the main thoroughfare and present a nuisance and possible danger to women walking through the area. The club promotes itself to stag party groups where traditionally a lot of drinking can lead to lewd and anti-social behaviour. For this to be allowed in the main thoroughfare of our city linking the areas of Park Street, the docks and the Colston Avenue section is frankly unbelievable.

- The location is near to our church in St Stephen's Street and to other places of worship such as St Mary on the Quay and The Cathedral. This is a key criterion for refusal to grant a license and yet every year it doesn't seem to be given any consideration.

- The presence of the two SEVs so close together gives an image of Bristol that does

not equate with how the Council presents itself. Bristol should be a leading city taking a stand against such premises in locations that should be safe and secure for all are clearly unsuitable for SEVs. Our city needs to continue to attract families as well as students and it needs students to take home messages about safety and equality not about an open high street sex industry.

We bring to the attention of the licensing committee and the licensing officers the objection provided by Mr Philip Kolvin to the opening of a new SEV opposite Selfridges in London earlier this month. Selfridges won their case.

"This proposal for a lap dancing club is entirely inimical to the character of this area. It has no place here... This is not [an application] for a corner store.

"It's a 6am sexual entertainment venue licence and nightclub in a highly sensitive location. It has attracted a large amount of objections."
Philip Kolvin, September 2020

We suggest that it is even more inimical to have a lap dancing club near to a church than to a department store. If the committee decides to grant the license renewal, we would like to understand why Mr Kolvin and the licensing committee would consider the proximity of a lap dancing club is more deleterious to a department store than to a community church.

Equalities Issues

- All SEVs by their nature promote the inequality of women. The applicant produces women who speak of being happy in the work and freely choosing to do this. Of course that is their right but they cannot possibly represent all the workers; many of whom will have no voice or will be afraid to use a voice to speak of their complete unequal situation of work. How can it be right to have a pay a house fee before even earning anything, this is catch up, survival rate on a par with all zero hours contracts.

- You will no doubt be aware of the huge concern in recent years about student suicides. The Council should be considering everything about the environment that might contribute to positive mental health and to the reality that a SEV might mitigate against positive mental health and indeed contribute negatively with its central premise being the objectification of women. By their activities they normalise the objectification of women.

- This normalisation can have repercussions on the behaviour of customers when in their other relationships with women which could lead to the start or escalation of domestic abuse in some cases.

- For the women it will certainly affect their self-image and for some they may subconsciously see themselves as available to men in any situation

- It could place women employees in a potentially dangerous situation such as being followed, harassed and stalked.

- Bristol City Council's Equality Policy states that the council will 'help to make equality a reality for all'. It also states: 'Employees are responsible for ensuring their work creates equality of opportunity as defined in relevant legislation, codes of practice and policies or strategies.' and that it will 'Use its standing in the city to help shape public opinion to promote equality within Bristol.' Yet year after year this seems to have no real impact on the decision making of counsellors who appear reticent to use the powers they have been elected to use.

Modern Slavery

- Some of the women employed may have uncertain legal status in the UK which means the employer could manipulate and exploit them emotionally, physically, sexually and financially.
- In a worst-case scenario; they could be made to work for little or no pay or have a passport taken from them.
- Some may have been trafficked into the UK precisely in order to make them work in the sex industry against their will. BCC has an obligation to ensure Human Rights are complied with.
- Bristol City Council's Equality Policy states it will join communities in 'Tackling equalities issues, ensuring those from different backgrounds have similar life opportunities and ending discrimination are fundamental to creating cohesive communities. All types of harassment, victimisation and bullying in the workplace and in the community are unacceptable. The council recognises that harassment can take many forms and can be subtle and insidious in nature. This policy covers identifying, reporting and supporting victims. We would question what opportunity there is for workers in the SEVs to be made aware of and to access the support apparently offered here.

We wonder what possible effect a one-off monitoring visit can have on ensuring that none of the workers are in fact trafficked and caught up in this industry without any access to support regarding their rights.

Finally, we argue that the existence of any SEV impacts negatively on the city ethos and reputation and indeed the mayor Marvin Rees in his campaign spoke of the need to eliminate these. Come on White City Bristol – live up to your claims and move forward into the full acceptance of the equality principles we claim to stand with. Let’s put energy into more work creation programmes that provide for flexible working for women but give them a definite contract and rights.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

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xxxxxxxxxxxxxx is a Bristol-based charity that is a powerful voice for making women's equality in Bristol a reality. We have 2000+ members. Members are asked to agree to the policies and priorities set out in our Womanifesto when they join. One of our six main priorities, as part of our Bristol Zero Tolerance project, is to campaign and lobby to improve policy and services for women and girls, and to end violence against women and girls in Bristol.

xxxxxxxxxxxxxxxxx objects to the renewal of the SEV licence to the above applicant on a number of grounds including the location of the applicant's premises, the Council's duties under Equalities Law and its obligations under Crime and Disorder legislation.

We do not wish this objection to be summarised as we would prefer the Committee to read a copy of it in its entirety.

Why we ask you to refuse the application

Safety and Equality of women in Bristol

1. As a signatory of the European Charter for Equality of Women and Men in Local Life, Bristol City Council must recognise that "gender-based violence arises from the idea, on the part of the perpetrator, of the superiority of one sex over the other in... an unequal relationship of power" (Article 22.2). SEVs reflect and contribute to a popular culture in which women's bodies are objectified and seen as available for men's use, while the opposite is not the case. This culture perpetuates the notion of "the superiority of one sex over the other" as identified in the Charter[i]. The Council's duty under the Equality Act 2010 and the Public Sector Equality Duty (PSED) includes the need to have due regard to the need to eliminate discrimination and harassment of women and advance equality of opportunity for women, as well as foster good relations between men and women. The claims made by Sexual Entertainment Venues in Bristol to be champions of equality are not only extraordinary but irrelevant to SEV applications with regard to PSED. It is the local authority which must meet the requirements of the Public Sector Equality Duty.

2. We assert, based on our expertise, that the presence and operation of this club promotes discrimination against women and harassment of women, stands in the way of the advancement of equal opportunities for women, and fosters bad relations between men and women. All of these effects are the very opposite of what Bristol City Council is required to aim for under our equality laws. Urban Tiger promotes harmful attitudes towards women as a group who share the legally protected characteristic of the female sex. Research demonstrates that the sexual objectification of women, which is encouraged and practised within SEVs in the context of our sexist society, acts to reinforce gender inequality and the attitudes that support and encourage violence against women, which is in itself a cause and consequence of gender inequality. Gender inequality and violence against women are "two sides of the same coin".[ii]

3. Harmful social norms and practices that permit some women to make a living while disadvantaging women as a group remain harmful. Our reasons for requesting a refusal of this licence are based on the impact upon **all** women and girls in Bristol who we represent, and who number over 230,000[iii]. By the club's own account, consideration of the work created for the women who currently perform in Urban Tiger and who may, by their representations, be said to benefit (in the short term) cannot by any measure compare with the negative impact upon all women and girls. Nevertheless we want to make it clear that we do not judge or otherwise seek to patronise or speak for the women who are self-employed workers in SEVs. We want to see all women employed in good jobs that suit their circumstances. Those jobs should not be (and are not) confined to the sex trade. For as long as SEVs were allowed to operate in Bristol we have fought for conditions that would make the women working there as safe as possible. But there is no evidence that these conditions work and there is no evidence at all that the trade goes 'underground' when licences are refused.

4. It is not "sex" that is the problem. It is the fact that in our society men as a class are

dominant and more powerful than women, and women's sexuality is seen as existing for, and being in the service of, men's desires to do what they want when they want. This self-proclaimed "Gentlemen's Club" quite deliberately reinforces this message and perpetuates the financial and social inequality of women compared to men in our society. It is entirely irrelevant whether there are also men stripping or showing off their bodies to customers in the premises: research shows us that it is only the sexual objectification of women that is related to gender inequality and to violence against women. The context is our unequal society.

5. The continued licensing of SEVs, in this case specifically Urban Tiger, by Bristol City Council means that the Council fails to meet obligations under the Charter and fails to engage with the purpose of our national equalities legislation. This diminishes the status of Bristol as a modern European City where both women and men should be able to lead fulfilled lives in a safe and fair society. Bristol as a city is committed to the eradication of violence and abuse of women and girls. In 2012 the city was awarded White Ribbon City status which requires cities to work towards a status of zero SEVs. Bristol City Council is supportive of the Bristol Women's Commission's Bristol Zero Tolerance initiative and both previous and current Mayors have also pledged their support. The Bristol Zero Tolerance initiative seeks to address all forms of gender-based violence, abuse, harassment and exploitation in the city and achieving a nil cap policy on SEVs is a part of this work. There are other current approaches to addressing violence and abuse in the city including public health campaigns, school campaigns and university campaigns all dedicated to changing social norms around gender inequality, attitudes to women and the acceptability of violence towards women. The Bristol Against Violence and Abuse Strategy 2015-2020 led by the Council includes an objective to reduce the opportunities for sexual exploitation and negative perceptions of women connected to SEVs.[iv] These projects are supported by or run by Bristol City Council. xxxxxxxxxxxxx believes that the continued licensing of SEVs directly undermines this work and is not compatible with the wider outcomes and aims that the city hopes to achieve in terms of gender equality and gender-based violence. We have numerous local policies and strategies which highlight the importance of equality, safety and addressing gender-based violence, however, there are no local policies which see the presence of SEVs in the city as positive.

6. We know from research that the sexual objectification of women is a feature of the link between men's alcohol use and their perpetration of sexual violence. This research was published in 2014, long after parliament had clamped down on SEVs and passed the responsibility for whether they should be present in our cities to local councils. SEVs trade in sexual objectification of women in an environment where alcohol is free-flowing. It is obvious to us as experts in women's inequality that the presence of this SEV in Bristol clearly impacts negatively on the safety as well as the hopes for equality of women and girls. A local authority which grants the licensing of SEVs contributes to the normalisation of exploitation and gender-based violence which initiatives such as Bristol Zero Tolerance are trying to combat.

7. Urban Tiger is in the central Cumulative Impact Zone. Bristol's Statement of Licensing Policy states that this area "has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety". In 2017 Avon and Somerset Police submitted a report

that detailed a number of reports of crime and disorder directly related to the premises and also reported 40 sexual offences within the area in a 12-month period. How many sexual crimes are too many? That year, representatives for the club tried to whittle this number down and tried to downplay our police's view, but in previous years before the police had begun to object, you were asked to pay attention to the police's view as "your experts on crime and disorder". Whether you believe that these sexual offences are directly related to the presence of the club, or that the club happens coincidentally to be situated in a hotspot for violent and sexual crimes against women, it is clear that this is an inappropriate location for a SEV.

8. Bristol women themselves express concern over the levels of harassment that are linked with having an SEV in a central location in Bristol. Our Womanifesto makes clear our position on SEVs. Similar views can be heard and read in diverse contexts expressed by the diverse women of Bristol. As one woman put it during a conversation online: "I've had to sit and listen to male colleagues discussing the body parts of the strippers they saw at the weekend. I don't choose to go to them but they've impacted on my life in several ways. Friends have been harassed by men waiting outside the clubs - things like "get your tits out and save us a fiver" have been shouted out. No matter what controls they put inside the club, they can't control what goes on outside."[v]

9. A number of local authorities in the UK have stopped granting licenses to SEVs. They have implemented their policy approaches to achieving women's equality, which includes acknowledging and acting on the links between SEVs and gender-based violence and inequality.

10. We find it shocking that every year you hear what we think are irrelevant arguments such as, there is no "tacky lighting" or "seedy facades", there are no "dancers skulking around the entrance chatting away"[vi], which have nothing to do with why we ask you to refuse this application. It is also in our view irrelevant to hear lists of people who have not objected, or to hear times when the venue is not open. What we are concerned with is the very fact of the presence of the venue in our historic city centre, and the impact of the activities that go on inside its doors. We are concerned with gender equality. We don't believe that you think a list of *things that could be worse* should be weighed up as though they are more important or relevant than our city's progress towards equality between our women and men, girls and boys.

<u>The sub-committee has a clearly-granted ability or prerogative to make this decision</u>

11. The sub-committee are the representatives of the people, and guidance from the Home Office 2010 states that the purpose of the legislation is "to give local people a greater say over the number and location of lap dancing clubs [SEVs] in their area". The possibility of a judicial challenge from establishments may be a concern for local authorities but there is no appeal on the grounds of locality and there is no case law that suggests action that prioritises gender equality made in good faith and based on the ever-developing advice of expert local women's organisations could be considered anything other than entirely appropriate.

12. Case law also notes that licensing authorities can have a 'fresh look' at applications for renewal of an SEV license and may refuse to renew a licence even if there is no change in circumstances at all. Refusal to renew is also not a breach of human rights. The written decision in the Court of Appeal agreed by three of the most eminent judges in the land (Lord The Master of the Rolls, Lord Justice Longmore and Lord Justice Lloyd Jones) in the case of R (Thompson) v Oxford City Council v Spearmint Rhino[vii] said: "In a case where there has been no change of circumstances, if the licensing authority refuses to renew on the ground that it would be inappropriate having regard to the character of the relevant locality, it must give its reasons for refusal... If the reasons given are rational, that is to say properly relevant to the ground for refusal, then the court cannot interfere. I believe this to be the true protection for a licence holder applying for renewal against a wayward and irrational exercise of discretion. The fact that in previous years the licensing authority did not choose to invoke those reasons for refusing to grant or renew the licence does not make the reasons irrational." The judges' summary in the case of Thompson was:
"(1) On an application to renew an SEV licence it is not necessary for an objector to demonstrate that something has changed since the decision granting the licence. Were the position otherwise, the efficacy of annual reconsideration would be much reduced.
(2) However, the decision maker has to have due regard to the fact that a licence was previously granted.
(3) If there is no relevant change of circumstances, the decision maker has to give his reasons for departing from the earlier decision."
While case law states one should "have regard to the importance of consistency" it also makes clear that "the decision maker is free to disagree with the earlier judgment". And while having regard to the importance of consistency is an obligation, having "due regard" to national, international and local obligations to promote gender equality and confront inequality is a very pressing obligation.

13. In practice, the sub-committee considering this application for renewal will be differently constituted to the first sub-committee that granted the application when the new legislation came into force a number of years ago. Meanwhile, further evidence has emerged confirming the links between sexual objectification, violence and inequality. With every new residential development and every new policy that puts equality at the heart of what Bristol strives for, the case for refusal has grown stronger and case law sees that a different decision can be made based on such "consideration of dynamic matters".

Unsuitability of premises and location

14. The prime city centre location of Urban Tiger is a constant reminder to women and men, girls and boys, of Bristol's tolerance of sexism and inequality in the city. The proximity to bus stops, residences and public buildings, such as churches, as well as public perception has not to date been taken appropriately into consideration with the location of Urban Tiger in Bristol City Centre. It's very clear from the City Council's own policy that the location is unsuitable given the grounds that sub-committees are directed to take into account when deciding whether to allow an SEV to operate.

We draw the licensing committee's attention to the case put forward by Philip Kolvin when acting for Selfridges in September 2020 when it objected to the licence application for a lap dancing club that had applied to open near to the entrance of the store:

"This proposal for a lap dancing club is entirely inimical to the character of this area. It has no place here... This is not [an application] for a corner store.

"It's a 6am sexual entertainment venue licence and nightclub in a highly sensitive location."

Arguably, the location of Urban Tiger in Bristol is more sensitive than the location of the lap dancing club applying for a licence opposite a department store.

15. The Council have received various objections in the past to the renewal of SEV licenses including details of sexual harassment that some women have experienced in the vicinity of SEVs and specifically that of Urban Tiger. Women also report feeling unsafe, unwelcome and intimidated when near these establishments. As Philip Kolvin QC notes, "the fears of women using the vicinity of premises may be reflected in decisions as to the location of such facilities… These concerns are directly reflected in the Royal Town Planning Institute's Gender and Spatial Planning Good Practice Note, which states: '…ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing clubs make women feel threatened or uncomfortable.'"[viii]

16. Residential Character: The premises are located directly adjacent to hundreds of residential apartments, and Bristol's Development Framework Core Strategy promises further residential development in the city centre including 7400 new homes in the city centre alone. This by itself is grounds to refuse this application.

17. Character of the locality including leisure and family friendly facilities: People visiting Baldwin Street, the Hippodrome, and other shops and businesses may have to pass Urban Tiger. The premises are not "discreetly located" but are close to family-friendly restaurants, shops, cafes and on a newly updated public transport route that are accessed by a huge proportion of people including children. The historic area is also a "first impression" for many visiting the city. Based on these venues, the street is a highly inappropriate location for a venue that perpetuates inequality.

18. Further, Bristol women have expressed concern over the levels of harassment that are linked with having an SEV in a central location in Bristol and they have made it clear that they avoid the area.

On all these grounds we object to this application.

[i] Bristol Women's Commission, Sexual Entertainment Venue Policy Statement, Licensing Special Purposes Sub Committee, 6th November 2014

[ii] https://www.unwomen.org/en/news/stories/2017/10/speech-ed-phumzile-five-days-of-violence-prevention-conference

[iii]https://www.bristol.gov.uk/documents/20182/33904/Population+of+Bristol+August+2019.pdf/96d16ba4-49f6-c535-ba7d-a11f24b8d3b3

[iv] https://www.bava.org.uk/wp-content/uploads/Bristol-Against-Violence-and-Abuse-Strategy-2015-2020.pdf

[v] Taken from Mumsnet Bristol, during a discussion over SEVs in Central Bristol.

[vi] These are direct quotes from last year's hearing.

[vii] [2014] EWCA Civ 94; 2014 WL 320363 - http://www.bailii.org/ew/cases/EWCA/Civ/2014/94.html

[viii] Kolvin, P. (2010) Sex Licensing.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

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I object to the renewal of the SEV licence to the above applicant on a number of grounds including the location of the applicant's premises, the Council's duties under Equalities Law and its obligations under Crime and Disorder legislation.

I do not wish this objection to be summarised as we would prefer the Committee to read a copy of it in its entirety.

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2. I assert, based on my knowledge and expertise, that the presence and operation of this club promotes discrimination against women and harassment of women, stands in the way of the advancement of equal opportunities for women, and fosters bad relations between men and women. All of these effects are the very opposite of what Bristol City Council is required to aim for under our equality laws. Urban Tiger promotes harmful attitudes towards women as a group who share the legally protected characteristic of the female sex. Research demonstrates that the sexual objectification of women, which is encouraged and practised within SEVs in the context of our sexist society, acts to reinforce gender inequality and the attitudes that support and encourage violence against women, which is in itself a cause and consequence of gender inequality. Gender inequality and violence against women are "two sides of the same coin".[ii]

3. Harmful social norms and practices that permit some women to make a living while disadvantaging women as a group remain harmful. My reasons for requesting a refusal of this licence are based on the impact upon **all** women and girls in Bristol and who number over 230,000[iii]. By the club's own account, consideration of the work created for the women who currently perform in Urban Tiger and who may, by their representations, be said to benefit (in the short term) cannot by any measure compare with the negative impact upon all women and girls. All of us want to see all women employed in good jobs that suit their circumstances. Those jobs should not be (and are not) confined to the sex trade. For as long as SEVs have been allowed to operate in Bristol we have fought for conditions that would make the women working there as safe as possible. But there is no evidence that these conditions work and there is no evidence at all that the trade goes 'underground' when licences are refused.

4. It is not "sex" that is the problem. It is the fact that in our society men as a class are dominant and more powerful than women, and women's sexuality is seen as existing for,

and being in the service of, men's desires to do what they want when they want. This self-proclaimed "Gentlemen's Club" quite deliberately reinforces this message and perpetuates the financial and social inequality of women compared to men in our society. It is entirely irrelevant whether there are also men stripping or showing off their bodies to customers in the premises: research shows us that it is only the sexual objectification of women that is related to gender inequality and to violence against women. The context is our unequal society.

5. The continued licensing of SEVs, in this case specifically Urban Tiger, by Bristol City Council means that the Council fails to meet obligations under the Charter and fails to engage with the purpose of our national equalities legislation. This diminishes the status of Bristol as a modern European City where both women and men should be able to lead fulfilled lives in a safe and fair society. Bristol as a city is committed to the eradication of violence and abuse of women and girls. In 2012 the city was awarded White Ribbon City status which requires cities to work towards a status of zero SEVs. Bristol City Council has been supportive of the Bristol Women's Commission's Bristol Zero Tolerance initiative and both previous and current Mayors have also pledged their support. The Bristol Zero Tolerance initiative has sought to address all forms of gender-based violence, abuse, harassment and exploitation in the city and achieving a nil cap policy on SEVs is a part of this work. There are other current approaches to addressing violence and abuse in the city including public health campaigns, school campaigns and university campaigns all dedicated to changing social norms around gender inequality, attitudes to women and the acceptability of violence towards women. The Bristol Against Violence and Abuse Strategy 2015-2020 led by the Council includes an objective to reduce the opportunities for sexual exploitation and negative perceptions of women connected to SEVs.[iv] These projects are supported by or run by Bristol City Council. I believe that the continued licensing of SEVs directly undermines this work and is not compatible with the wider outcomes and aims that the city hopes to achieve in terms of gender equality and gender-based violence. We have numerous local policies and strategies which highlight the importance of equality, safety and addressing gender-based violence, however, there are no local policies which see the presence of SEVs in the city as positive.

6. We know from research that the sexual objectification of women is a feature of the link between men's alcohol use and their perpetration of sexual violence. This research was published in 2014, long after parliament had clamped down on SEVs and passed the responsibility for whether they should be present in our cities to local councils. SEVs trade in sexual objectification of women in an environment where alcohol is free-flowing. It is obvious to us as experts in women's inequality that the presence of this SEV in Bristol clearly impacts negatively on the safety as well as the hopes for equality of women and girls. A local authority which grants the licensing of SEVs contributes to the normalisation of exploitation and gender-based violence which initiatives such as Bristol Zero Tolerance are trying to combat.

7. Urban Tiger is in the central Cumulative Impact Zone. Bristol's Statement of Licensing Policy states that this area "has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety". In 2017 Avon and Somerset Police submitted a report that detailed a number of reports of crime and disorder directly related to the premises and also reported 40 sexual offences within the area in a 12-month period. How many sexual

crimes are too many? That year, representatives for the club tried to whittle this number down and tried to downplay our police's view, but in previous years before the police had begun to object, you were asked to pay attention to the police's view as "your experts on crime and disorder". Whether you believe that these sexual offences are directly related to the presence of the club, or that the club happens coincidentally to be situated in a hotspot for violent and sexual crimes against women, it is clear that this is an inappropriate location for a SEV.

8. Bristol women themselves express concern over the levels of harassment that are linked with having an SEV in a central location in Bristol. The xxx Womanifesto makes clear its position on SEVs. Similar views can be heard and read in diverse contexts expressed by the diverse women of Bristol. As one woman put it during a conversation online: "I've had to sit and listen to male colleagues discussing the body parts of the strippers they saw at the weekend. I don't choose to go to them but they've impacted on my life in several ways. Friends have been harassed by men waiting outside the clubs - things like "get your tits out and save us a fiver" have been shouted out. No matter what controls they put inside the club, they can't control what goes on outside."[v]

9. A number of local authorities in the UK have stopped granting licenses to SEVs. They have implemented their policy approaches to achieving women's equality, which includes acknowledging and acting on the links between SEVs and gender-based violence and inequality.

10. It is shocking that every year you hear what we think are irrelevant arguments such as, there is no "tacky lighting" or "seedy facades", there are no "dancers skulking around the entrance chatting away"[vi], which have nothing to do with why I ask you to refuse this application. It is also in my view irrelevant to hear lists of people who have not objected, or to hear times when the venue is not open. What I am concerned with is the very fact of the presence of the venue in our historic city centre, and the impact of the activities that go on inside its doors. I am concerned with gender equality. Idon't believe that you think a list of *things that could be worse* should be weighed up as though they are more important or relevant than our city's progress towards equality between our women and men, girls and boys.

<u>The sub-committee has a clearly-granted ability or prerogative to make this decision</u>

11. The sub-committee are the representatives of the people, and guidance from the Home Office 2010 states that the purpose of the legislation is "to give local people a greater say over the number and location of lap dancing clubs [SEVs] in their area". The possibility of a judicial challenge from establishments may be a concern for local authorities but there is no appeal on the grounds of locality and there is no case law that suggests action that prioritises gender equality made in good faith and based on the ever-developing advice of expert local women's organisations could be considered anything other than entirely appropriate.

12. Case law also notes that licensing authorities can have a 'fresh look' at applications for renewal of an SEV license and may refuse to renew a licence even if there is no change in

circumstances at all. Refusal to renew is also not a breach of human rights
13. In practice, the sub-committee considering this application for renewal will be differently constituted to the first sub-committee that granted the application when the new legislation came into force a number of years ago. Meanwhile, further evidence has emerged confirming the links between sexual objectification, violence and inequality. With every new residential development and every new policy that puts equality at the heart of what Bristol strives for, the case for refusal has grown stronger and case law sees that a different decision can be made based on such "consideration of dynamic matters".

Unsuitability of premises and location

14. The prime city centre location of Urban Tiger is a constant reminder, to women and men, girls and boys, of Bristol's tolerance of sexism and inequality in the city. The proximity to bus stops, residences and public buildings, such as churches, as well as public perception has not to date been taken appropriately into consideration with the location of Urban Tiger in Bristol City Centre. It's very clear from the City Council's own policy that the location is unsuitable given the grounds that sub-committees are directed to take into account when deciding whether to allow an SEV to operate.

15. The Council have received various objections in the past to the renewal of SEV licenses including details of sexual harassment that some women have experienced in the vicinity of SEVs and specifically that of Urban Tiger. Women also report feeling unsafe, unwelcome and intimidated when near these establishments. As Philip Kolvin QC notes, "the fears of women using the vicinity of premises may be reflected in decisions as to the location of such facilities… These concerns are directly reflected in the Royal Town Planning Institute's Gender and Spatial Planning Good Practice Note, which states: '…ensure that the views of women are considered. Evidence shows that in certain locations, lap-dancing and exotic dancing clubs make women feel threatened or uncomfortable.'"[vii]

16. Residential Character: The premises are located directly adjacent to hundreds of residential apartments, and Bristol's Development Framework Core Strategy promises further residential development in the city centre including 7400 new homes in the city centre alone. This by itself is grounds to refuse this application.

17. Character of the locality including leisure and family friendly facilities: People visiting Baldwin Street, the Hippodrome, and other shops and businesses may have to pass Urban Tiger. The premises are not "discreetly located" but are close to family-friendly restaurants, shops, cafes and on a newly updated public transport route that are accessed by a huge proportion of people including children. The historic area is also a "first impression" for many visiting the city. Based on these venues, the street is a highly inappropriate location for a venue that perpetuates inequality.

18. Further, Bristol women have expressed concern over the levels of harassment that are linked with having an SEV in a central location in Bristol and they have made it clear that they avoid the area.

On all these grounds I object to this application.

[i] Bristol Women's Commission, Sexual Entertainment Venue Policy Statement, Licensing Special Purposes Sub Committee, 6th November 2014

[ii] https://www.unwomen.org/en/news/stories/2017/10/speech-ed-phumzile-five-days-of-violence-prevention-conference

[iii] https://www.bristol.gov.uk/documents/20182/33904/Population+of+Bristol+August+2019.pdf/96d16ba4-49f6-c535-ba7d-a11f24b8d3b3

[iv] https://www.bava.org.uk/wp-content/uploads/Bristol-Against-Violence-and-Abuse-Strategy-2015-2020.pdf

[v] Taken from Mumsnet Bristol, during a discussion over SEVs in Central Bristol.

[vi] These are direct quotes from last year's hearing.

[vii] Kolvin, P. (2010) Sex Licensing.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

Information in this table is to be kept strictly confidential	
Full name of objector:	
Full postal address of objector:	
Contact telephone number:	
Email Address if appropriate:	

Detail of application	
Name of applicant:	Nightlife Bristol Limited, Urban Tiger (Reference: 20/03322/SEV)
Address of premises:	4 Broad Quay, Bristol, BS1 4DA
Application date:	25 August 2020
Date by which objections must be received:	22 September 2020

Please enter the detail of your objection below. Please note however that objections based on moral grounds cannot be accepted. Objections may be continued overleaf or on separate sheets of paper.

About us, our focus and our relationship to the City and Council

xxxxxxxxxxxxxxxxxxxxxxxxxxx was established in order to help Bristol to meet its obligations under Article 21 (Safety and Security) and Article 22 (Gender-Based Violence) of the European Charter for Equality of Women and Men in Local Life, to which the Bristol City Council is a signatory. (https://www.ccre.org/docs/charte_egalite_en.pdf). Under these Articles the city of Bristol:

- Recognizes the right of each woman and man to security of the person, and to liberty of movement, and that these rights cannot be freely or equally exercised if women or men are unsafe or insecure, whether in the private or public domain, or if they feel unsafe or insecure.
- Further recognizes that women and men, in part due to different obligations or lifestyles, often face differing problems of safety and security, which need to be addressed.
- Commits itself to develop and implement strategies, policies and actions to enhance the practical security and safety of women and men, and to seek to reduce their respective perceptions of lack of safety and security.
- Recognises that gender-based violence arises from the idea, on the part of the perpetrator, of the

superiority of one sex over the other in the context of an unequal relationship of power.

- Commits itself to establish and strengthen policies and actions against gender-based violence including promoting awareness-raising campaigns and educational programmes aimed at potential and actual victims and perpetrators.

xxxxxxxxxxxxxxxxxxxxxxx members includes experts by experience and experts in service provision, research, and policy concerning all forms of gender-based violence.

We urge you to listen to your experts on women's equality and women's safety and not to grant this application.

About the basis and effect on your discretionary power of our objection

You have several discretionary grounds, that is grounds for exercising your discretion and choosing not to renew this application. Any one of the discretionary grounds or a combination of them can be cited as your reason not to grant. This should be obvious, but arguments made about how one discretionary ground does not apply are irrelevant, if you intend to refuse on another different discretionary ground. Two 'discretionary grounds' (a and b) are whether the applicant or manager are suitable. Another (c) is whether the application would take the number of SEVs beyond the maximum appropriate number. Your fourth discretionary ground (d) covers among other things the character of the relevant locality and the use to which any premises in the vicinity are put.

You are required by your policy to include and take into account in your consideration:

- The character of the locality
- Impact on crime and disorder
- The proximity to places where the public congregate for purposes other than use of the premises, such as bus stops and taxi ranks
- The nature of the clientele it is likely to attract.

What we ask you to do is to agree that you are persuaded by and agree with our submission that:

- The character of this city centre locality is supposed to be residential, family-friendly, and welcoming to women and men equally
- There is an unacceptable negative impact on crime and disorder (violence against women and girls) that cannot be adequately mitigated by any conditions and that can be eliminated by the decision not to renew the licence.

If you agree with this submission – and we hope that you do - then the law says that you are doing your job as a committee by making the decision not to renew the licence.

This decision cannot be appealed. Case law from judicial review shows us that judges support and uphold decisions made by local authorities in this way. You should not fear threats of legal action from wealthy applicants; there is no evidence that such action is possible or would succeed. However, action is possible both from applicants and from objectors. Twice now there have been successful Judicial Reviews in England concerning SEVs, that were brought by women, funded through Legal Aid and through crowd-funding, regarding the failure of decision-makers and policy-makers to do the right thing by Equality law. The fact that this has now been brought to your attention is enough to completely justify a decision to depart from a previous history of granting a licence to this venue.

The grounds: Character of the locality (d(i))

Local documents tell us that the city centre locality is becoming more residential and that more student accommodation is in place and being planned there. Local documents tell us that the city wants families to feel welcome in the centre.

Research has told us that women do not feel safe in our city centre. Women are known to self-select away from areas where the sex trade is located (how 'visible' or 'tacky' the premises look has got nothing to do with this).

The presence of this venue impacts upon women in several ways:

- Women know that the clientele are likely to have been drinking alcohol and sexually aroused and women know through experience, as we know through research, that men who drink alcohol and have been sexually objectifying women are likely to be more sexist than most men and more dangerous to women. This means that a number of women who feel this way avoid going near these premises. It is not relevant that *some* women do not notice them or avoid them, or even that some women visit them. The impact is a gendered impact because it is women, rather than men, who stay away from the area as a direct result of these premises being there. Our duty and your duty as a council is to make public spaces equally welcoming to women as men, and to take account of women's perceptions and fears about their safety. In this case those perceptions and fears are well-grounded, but it would not matter if they were illogical.

- Women (for example, women members of this xxxx Group) feel let down by the City Council because it has allowed these premises to be a feature of our city centre. This sends a message to men as well as women, that sexism and inequality between women and men are not important to the Council.

The grounds: Impact on crime and disorder having regard to the character of the locality.

The "nature and style of the relevant entertainment" is "male and female performers involving full or partial nudity". From the legislation, we know that these performances are assumed (ignoring financial gain) "to be provided solely or principally for the purpose of sexually stimulating any member of the audience".

As far as we know in the xxxx Group, there is no research that suggests women's attitudes to men become hostile, negative or violent after paying to see them perform sexually stimulating activity while nude. This is unsurprising given what is known about gender inequality. Therefore male performers are not relevant to our objection. What we do know is that:

- Paying to have women perform sex acts reinforces sexist stereotypes

- Observing women perform nude makes the brain see women as objects and as less than fully human

- Men who use the sex trade are more violent to women in their lives

- Men who use the sex trade endorse hostile masculinity more

- Men who use the sex trade have more sexist attitudes to women

- Men who use the sex trade are much more likely to acknowledge they would rape a woman if they could get away with it.

Bristol city centre is the core of our city and is supposed to reflect the best of the city. It is where the Council meets. It is where our rape and domestic abuse services for women are based. Our city is supposed to be a leader in creating safe and equal communities where men and women can thrive.

In Bristol, we have high domestic violence and murder rates, high rape and sexual assault rates, and high sexual harassment rates, against women by men. We also have low reporting rates (women do not believe that the authorities will care or take them seriously) and low conviction rates in our courts. It has never been more important to show as a city that we stand against the sexual objectification of women, sexism and all forms of violence against women.

The nature of the relevant entertainment being applied for by this city

centre venue adversely affects the safety of all women in the city and we therefore strongly object to this application.

In order to help ensure that your decision-making is transparent to us, and to help us improve our communications in the future, please note our request to the committee to specifically address in the record of your decision:

- Did you give weight to your experts in women's equality and safety
- Did you agree with the (expert) analysis that to issue this licence is harmful to women's equality and safety (if not on what basis did you disagree)
- Did you find that other considerations that were put before you should have higher priority or more weight than the impact on women's equality and safety? (if so what were they).

If your answers to these three questions are yes, yes and no, then this is the reasoning for your decision not to grant the application.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 21 September 2020

RE: Urban Tiger

xxxxxxx works closely with women harmed by the strip industry. We have a wealth of evidence, research, testimonies and information as to the reality (and the law) regarding the strip trade. Some 10 years ago, our CEO helped ensure law change – to see strip clubs licensed as part of the sex industry not leisure venues. More recently, we have been involved in two successful High Court cases against one council for its licensing of the industry.

That is why we object to the relicensing of both these clubs (by the same applicant) and urge you to refuse both licenses. Instead the council should focus on supporting alternative, equality law-compliant, businesses. Particularly businesses that can open now. We would point out that lap dancers, as 'self employed' workers, do not have access to the furlough scheme these 2 strip cubs are no doubt enjoying and offering to all other (predominantly male) PAYE staff.

We suggest, the council has an absolute moral obligation to ensure former lap dancers are employed in these businesses in new roles that do not involve them being bought as sexual entertainment.

We would further draw your attention to the 'Kick Start' scheme' initiated by the government in the Autumn, with grants given to businesses and councils specifically to ensure vulnerable young people are employed. We hope the council has been making use of this to support all those formerly in the strip/sex industry with employment opportunities and a way out.

We object to the licensing of these clubs on the grounds of:

1. Inappropriate locality
They are near many places deemed inappropriate in your own policy (in the city centre, near the university, transport hubs, places of worship, family leisure facilities etc). Clubs have **no legal** grounds to challenge a refusal to relicense on these grounds:

We urge the committee to read this short document: '**Strip Clubs and the Law'**
https://notbuyingit.org.uk/wp-content/uploads/2019/10/StripLegal.pdf

2. Incompatibility with Equality law and Safeguarding
The council must abide by equality law in all of its licensing decisions. However, it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated. Two High Court cases against Sheffield City Council (third now pending) again indicate this.

This is also further indicated by the below:

2a) Harm in the Industry as a whole
The industry as a whole has an appalling record of breaches and incidences. We have found over 150 incidences, many serious, recorded in over half of the UK strip industry. This will

merely be the tip of the iceberg as the industry works very hard to suppress this information (as the former head of the Lap Dancing Association has stated on the record).

We urge the committee to read Section 3 of this document on The Documented Harms of the Strip Industry:
https://notbuyingit.org.uk/wp-content/uploads/2019/10/EIA.pdf

This is *directly relevant to Bristol clubs*. It shows how the entire industry operates. Your clubs would have to be miraculous exceptions indeed to be immune to this *modus operandi*.

2b) The Track Record of Bristol's Clubs
In fact, there are years of evidence directly related to Bristol's clubs *including* the two seeking relicensing under their current management, exposing how your SEVs are incompatible with equality law - and even women's safety:

Bristol Police [2011] 50m zone around strip clubs a 'hot spot' for sexual violence
Bristol strip club manager at licensing hearing [2013]: "We'd need 10 doormen if we were to intervene immediately"

*Bristol, Temptations [2013] Sexual Contact, club fined. Not Shut
*Bristol, Jack of Diamonds (formerly Temptations) [2017] Sexual Contact. Shut
*Bristol, Urban Tiger [2015] Banned from using school girl images
*Bristol, Urban Tiger [2017] Several reports of assault. Not Shut
Bristol Police App. 1 [2017] 40 sexual offences reported in 1 year near strip clubs
Bristol Police App. 1 [2017] 'Heightened risk to women in the area'
*Bristol, Urban Tiger [2018] Dancers defend club 'it saved my life'
*Bristol, Urban Tiger [2019] Prostitution?
*Bristol, Urban Tiger [2019] Dancers defend club as a 'big happy family'
*Bristol, Urban Tiger [2019] NGOs abused for objecting to strip club
*Bristol [2019] Councillors 'ashamed' of new draft strip club policy

2c) Recent Serious Incident?
A man has recently been convicted of a sexual assault in a strip club in Bristol's Crown Court. He assaulted a lap dance and ejaculated on her, resulting in him being put on the sex offenders register:

https://www.thewestonmercury.co.uk/news/court/former-weston-man-ejaculated-on-stripper-1-6283931)"
https://www.thelawpages.com/court-cases/Amranuzzman-Chowdhury-26871-1.law

Was this at one of the Bristol clubs? If so, whatever safeguarding and protection measures are in place are clearly deeply inadequate. This also begs the question how many other incidences are occurring? If such a serous incidence was able to take place doesn't it rather suggest there must be numerous 'minor' breaches occurring on a regular basis that are never detected/brought to the authorities attention?

2d) Inability to create an effective EIA
We would also highlight the ineffectiveness of any EIA, Equality Impact Assessment, in regards to strip clubs. Even with regard to the best run club in the world, you *cannot* prevent the inherent harm of the industry or to wider society (objectification/self objectification) as this is the entire purpose of the industry.

You also cannot rely on any of the 'safeguarding' measures currently in place as these are so readily circumvented as to be meaningless and you would never know. And there is

overwhelming evidence, across the industry that that is exactly what is happening everywhere:

We urge the committee to look at this document :'How to Write an EIA'
https://notbuyingit.org.uk/wp-content/uploads/2019/10/EIA.pdf

3. Unlicensed Activities?
We also would query the activities that might be taking place in these clubs and the lack of transparency around this:

3a) 'Permitted Entertainment' Areas
- Naked/sexual entertainment is only supposed to be permitted in identified areas marked in the floor plans for the venues
- However, there do not appear to be any marked areas on the floor plans for either venue:

https://democracy.bristol.gov.uk/ieListDocuments.aspx?CId=217&MId=6101&Ver=4
https://democracy.bristol.gov.uk/ieListDocuments.aspx?CId=217&MId=6100&Ver=4

- How can the public object to 'permitted areas' if they cannot see the application and plans before the deadline for objections, *and* no guarantee that they may include additional information at the hearing which is only when the full applications are published ?

- Most local authorities publish the content of applications so that objectors have access to all information, why doesn't Bristol?

3b) Breach of Licensing Condition B
This states relevant entertainment may only take place in areas identified in the plan.
If these areas have not been identified then there are no permitted areas - aren't both clubs therefore breaching their licence?

3c) Eating off naked women
https://www.bristolstagandhen.co.uk/body-platters/
This is on offer by Stag and Hen, another company run by the family who owns these strip clubs
- Has this been provided in either strip club?
- At what times?
- If it has been provided, has this only been in the 'permitted areas'?
- If not, isn't that a breach of license?

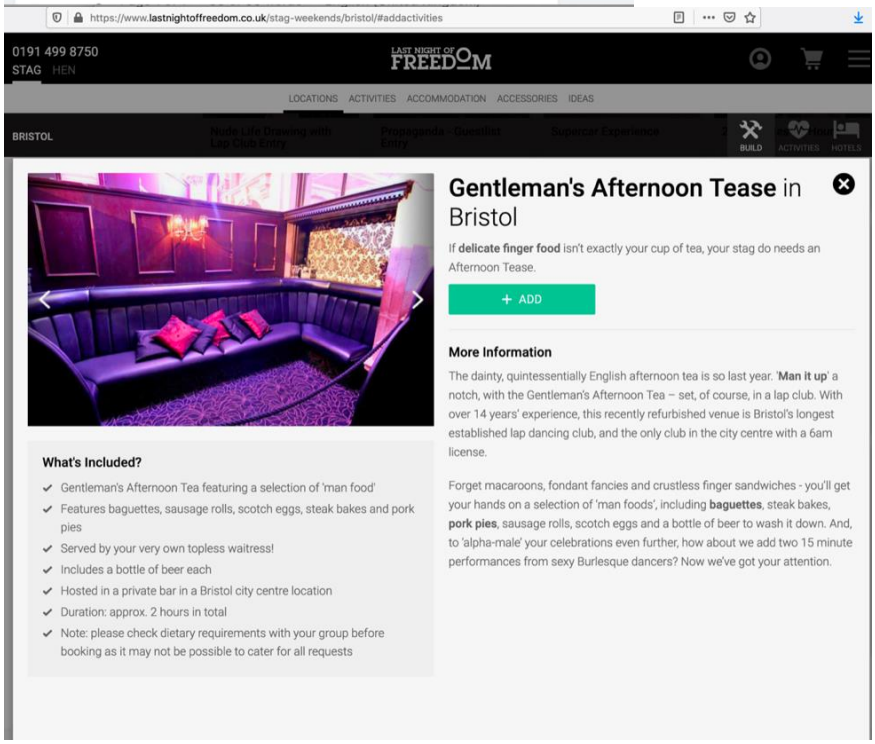
3d). Topless Waitresses
This is also provided by Stag and Hen
https://www.bristolstagandhen.co.uk/topless-waitresses/
https://www.bristolstagandhen.co.uk/afternoon-tease-2/
- Has this taken place in either strip club?
- At what times?
- in which case, isn't this a breach of license as full/partial nudity of lap dancers and staff is only allowed, for a short performance, in permitted areas ie not throughout the large sections of a venue a waitress would need to use and not for the many hours of her shift for which she would be topless?

Central Chambers - CC's
5 February at 21:03 ·

We've teamed up with Bristol Stag and Hen to offer this fantastic stag night activity! Perfect for Gentlemen that are looking for something different to do. A whole host of man food with half naked ladies serving up the beers. It's can't get better than this!

Be sure to check out our website and other social media pages for all booking enquiries, stag packages and table reservations.

👇 ... See more



3e) Topless Waitresses/Eating off Naked Women is Sexual Entertainment

- Do you know where this has been provided?
- If not, why not?
- Do the venues that provide this have an SEV or similar licenses?
- If not, how are the women involved being protected?
- Does the council acknowledge that topless waitressing/providing a woman's naked body to be eaten off is a form of sexual entertainment that needs to be licensed under an SEV or similar license?

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17th September 2020

RE: Urban Tiger

I am a Cental Bristol resident compliant and happy with the relicensing of both of the city centre strip clubs.

It is wrong to rob women of the choice to work at either of these clubs if they choose to. These clubs are run well with the safety of the dancers as a top priority. I have worked in both of these clubs as a dancer and I value my bodily autonomy and having a safe and regulated place to work.

The front of both of these venues are simple, unassuming and inoffensive.

I refuse to be spoken over by 'not buying it' when they have admitted themselves to not having even set foot in these clubs. I have been out of work for 6 months now and I do not regret working in this industry, nor will I. This industry has done so much for me and has allowed me so many opportunities. I began investing and stock trading. I had time to study and live comfortably. I pay my taxes diligently.

It's also worth pointing out that there is so objection to male strippers by this particular organisation, just unfair targeting of women.

It's clear that sex work IS work and to we should be able to continue working in a job that I and many others value and enjoy safely. That is why I urge that these venues be relicensed.

Thankyou

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Objection to application for a Sexual Entertainment Venue

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 23rd Sept 2020 (LATE)

RE: Urban Tiger

I object to the relicensing of both these clubs (by the same applicant) due to:

Inappropriate locality - they are near many places deemed inappropriate in your own policy (in the city centre and near the university, transport hubs, places of worship, family leisure facilities etc).

Incompatibility with Equality law - The council must abide by equality law in all of its licensing decisions. However it is impossible to license an SEV and not contravene this as SEVs promote sex inequality, harassment and poor relations between the sexes, as numerous experts have stated.

Please note: The Court of Appeal has ruled that the committee is fully entitled to look with fresh eyes at every licensing hearing - that is why these are held annually. It has also stated there need be no material changes whatsoever in order to refuse a license that was previously granted.

Please refuse both licenses. Instead the council should focus on supporting alternative, equality law-compliant, businesses AND ensure former lap dancers are employed there in new roles that do not involve them being bought as sexual entertainment.