

Blackpool Council

10 September 2021

To: Councillors Baker, Burdess, G Coleman, Collett, Cox, Farrell, Hunter, Hutton, Matthews, O'Hara, D Scott, Sloman and Wilshaw

The above members are requested to attend the:

LICENSING COMMITTEE

Tuesday, 21 September 2021 at 6.00 pm
in the Council Chamber

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

(1) the type of interest concerned either a

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE LAST MEETING HELD ON 25 MAY 2021 (Pages 1 - 2)

To agree the minutes of the last meeting held on 25 May 2021 as a true and correct record.

3 REVIEW OF SEX ESTABLISHMENT POLICY (Pages 3 - 56)

To consider approving the revised Sex Establishment Policy and recommend it to the Executive.

4 LICENSING UPDATE

(Pages 57 - 60)

To update the Committee on the details of licences applied for, dealt with and appealed in the period 01 January to 31 August 2021 and to update the Committee on recent licensing enforcement activities.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Sarah Chadwick, Democratic Governance Advisor, Tel: 01253 477153, e-mail sarah.chadwick@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Present:

Councillor Hutton (in the Chair)

Councillors

Farrell

Hunter

D Scott

Wilshaw

In Attendance:

Sarah Chadwick, Democratic Governance Advisor

Sharon Davies, Senior Licensing Solicitor

Councillor Rick Scott

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 19 JANUARY 2021

The Licensing Committee considered the minutes of the meeting held on 19 January 2021.

Resolved:

That the minutes of the meeting of the Licensing Committee held on 19 January 2021 be approved and signed by the Chairman as a correct record.

3 FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE

The Committee considered the formation of a Public Protection Sub-Committee for Municipal Year 2021/2022 and the appointment of a Chairman and Vice-Chairman of the Sub-Committee.

During consideration of decision 4, appointment of Chairman of the Public Protection Sub-Committee, Councillor Hutton vacated the chair and the Democratic Governance Advisor conducted the election for this post.

Resolved:

1. To agree to the formation of a politically balanced Public Protection Sub-Committee with a membership of 7 (4 Labour, 3 Conservative).
2. To note the membership of the proposed Sub-Committee as informed by the Group Leaders as follows: Councillors Collett, Farrell, Hunter, Hutton, D Scott, R Scott and Wilshaw.
3. To agree that the functions assigned to the Public Protection Sub-Committee continue to be those as set out in Part 3 of the Council's Constitution.
4. To appoint Councillor Adrian Hutton as Chairman of the Public Protection Sub-Committee for the Municipal Year 2021-2022.

MINUTES OF LICENSING COMMITTEE MEETING - TUESDAY, 25 MAY 2021

5. To appoint Councillor Danny Scott as Vice-Chairman of the Public Protection Sub-Committee for the Municipal Year 2021-2022.
6. To request the Public Protection Sub-Committee to consider the start-time of its future meetings.

Chairman

(The meeting ended 6.03 pm)

Any queries regarding these minutes, please contact:
Sarah Chadwick Democratic Governance Advisor
Tel: 01253 477153
E-mail: sarah.chadwick@blackpool.gov.uk

Report to:	LICENSING COMMITTEE
Relevant Officer:	Tim Coglan, Service Manager Public Protection
Date of Meeting:	21 September 2021

REVIEW OF SEX ESTABLISHMENT POLICY

1.0 Purpose of the report:

1.1 The Licensing Committee is asked to consider the revised Sex Establishment Policy.

2.0 Recommendation(s):

2.1 The Committee will be requested to determine whether it wishes to consider the late responses received in respect of the consultation attached at Appendix 3b.

2.2 To consider the comments received within the timeframe of the consultation attached at Appendix 3a.

2.3 Subject to any amendments the Committee may wish to make, to recommend the revised Sex Establishment Policy to the Executive.

3.0 Reasons for recommendation(s):

3.1 Council policies should be kept under regular review to ensure that they are up to date and fit for purpose. The existing Sex Establishment Policy was approved in 2016 and is therefore due for review.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 The Committee could decline to review this policy, leaving the current policy in place. This risks the policy becoming outdated.

5.0 Council priority:

- 5.1 The relevant Council priority is
- "The economy: Maximising growth and opportunity across Blackpool"

6.0 Background information

- 6.1 The licensing of sex establishments is governed by Schedule 3 Local Government (Miscellaneous Provisions) Act 1982. Whilst no statutory duty exists, it is seen as good practice to publish a policy setting out how the Council will determine applications for sex establishments in its area. Where a Council seeks to restrict the number and/or location of such venues a policy is advised to inform decision making by potential applicants and to strengthen the chances of successfully defending appeals as the Magistrates dealing with an appeal must, if there is a published policy, adopt that policy as if they were “standing in the shoes” of the decision making committee.
- 6.2 As a White Ribbon accredited authority, Blackpool Council is working towards setting a zero limit on the number of Sexual Entertainment Venues (lap dancing clubs). Previously the number of Sexual Entertainment Venues was set as four. Working towards the White Ribbon aims, it is proposed that the number of Sexual Entertainment Venues be reduced to zero with an exception being made for those four premises currently licensed. This means that these businesses would be able to continue to operate as long as they continue to comply with the legislation and licence conditions. Applications for renewal would not be refused on the grounds of the limit on numbers. Once a licence lapses, is revoked, surrendered, or otherwise not renewed, the grandfather rights would be lost and any new application would be considered against the limit of zero.
- 6.3 The Committee approved a draft of the revised policy at its meeting in January 2021. A period of consultation then took place between 01 February and 31 March 2021, however responses were received after that time from the National SEV Coalition and the Northern Sex Workers Collective. The Committee are requested to consider the late representations as both organisations indicated that they were unaware of the consultation until after the closing date. The comments received are attached at Appendix 3a, with the late responses attached at Appendix 3b.
- 6.4 Having taken the consultation comments into consideration, officers propose no changes to the draft policy. Subject to the approval of the policy, existing licences would be allowed to continue operating, meaning there would be no outright ban on such venues in the area. Should the policy be approved to set the number of Sexual Entertainment Venues at zero, the Public Protection Sub-Committee would still be required to consider any application made on its own merits and be prepared to depart from that policy if the applicant could persuade the Sub-Committee hearing the application that it was appropriate to do so.
- 6.5 The proposed policy can be found at Appendix 3c. The changes from the existing policy are highlighted in red.
- 6.6 Does the information submitted include any exempt information? No

7.0 List of Appendices:

- 7.1 Appendix 3a – Consultation comments
- Appendix 3b – Consultation comments (late responses)
- Appendix 3c - Proposed sex establishment policy

8.0 Financial considerations:

- 8.1 There are no financial considerations.

9.0 Legal considerations:

- 9.1 The Council’s policy may be challenged by Judicial Review.

10.0 Risk management considerations:

- 10.1 There are no risk management considerations.

11.0 Equalities considerations:

- 11.1 No equalities considerations have been identified.

12.0 Sustainability, climate change and environmental considerations:

- 12.1 There are no sustainability, climate change and environmental considerations.

13.0 Internal/external consultation undertaken:

- 13.1 Consultation has taken place with the Police Licensing Team to inform the content of the policy. CLT have also been consulted as part of the review process. Consultation took place formally between January and March 2021, with the proposals gaining coverage in local and national press.

14.0 Background papers:

- 14.1 None.

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Ashley Objection

I would like to formally submit my comments on the revision of the SEV policy and stress that I strongly object to the proposal of the reduction of the number of SEV's to zero.

I have worked in this industry for approximately fourteen years, I have worked closely with council and police licensing during this time to make this industry safe and successful.

I would estimate I have worked with over a thousand entertainers over this period of time, girls travelling from all across the country to work in the last remaining town which provides no contact topless only venues for them to work out of. These girls range from single mums working to provide for their families, to career entertainers who have been in the industry longer than myself and used their income to invest in property and start their own business. I have seen girls pay their way through master's degrees and go on to become successful law graduates, Nurses... the list could go on. What I have not seen in this time is any of these girls fear for their safety whilst at work – we have always provided adequate security, operated a buddy system for girls going out for breaks, provided security walk outs to cars or cabs at the end of shifts.

I have grave concerns that these proposed changes will change the nature of the industry and take away this safe working environment we have built over the years. If the council goes ahead with the proposed reduction to Zero and the worst happens and all Blackpool SEVs are closed these girls will no longer have these safe and regulated operating environments, the industry will be forced underground and girls will be tempted, if not forced to work in places such as hotels for private bachelor parties where their risk of sexual assault and financial exploitation would be alarmingly high.

Blackpool Councils own Leader Cllr Lynn Williams has recently endorsed the 'It stops here' movement to create a safer environment for women this proposed amendment would be in complete juxtaposition with this endorsements, she declared plans to work with 'women, police, health, businesses and our vibrant community groups to create not just safe spaces, but a Blackpool that is intolerant of abuse...' SEV's are safe spaces for female entertainers and the threat to take these away puts a large number of women in a potentially dangerous position.

Along with my concerns for the entertainers I also object on behalf of myself and every member of staff who has worked for me at Eden. This is my business and with it I contribute to Blackpool's economy and employments rates, I feel that a reduction to zero would almost act as a target to achieve – Close all Blackpool SEV's. This would put my business under unfair scrutiny, create extreme anxiety and potential financial hardship for myself and my family as well as for each employee working for me, it would feel like we are operating with a ticking bomb strapped to our business.

The council is proposing the number of Sex cinemas be cut in half and I feel this is a fair decision which should also be applied to SEV's.

I hope the council will take onboard my concerns and re-evaluate the proposed amendments.

John Objection

I would like to formally submit my comments on the revision of the SEV policy and stress that I strongly object to the proposal of the reduction of the number of SEV's to 0, even with the retention of grandfather rights.

My father, myself and my wife have been owner/operators of either one or two establishments in Blackpool for the past fourteen years. We currently hold one SEV for the premises of Eden on the promenade. Although my wife, Ashley Sayers is the license holder and operator this is the main contributor to our family's income.

Under the proposed revision allowing for grandfather rights only with no option to transfer a license or renew in the event of its expiration my family is left in an extremely vulnerable position. A number of scenarios are of dire concern to me, if anything was to happen to my wife's health which would cause her to be unable to continue to operate the venue, or in the event of her death myself and my family would also be subjected to the loss of our business and main income. In the unlikely event of divorce, I would also be unable to negotiate the retention of the business.

I have seen the town reduce the number of SEV in the past and understand the reasoning for the initial introduction of the limit to four, I however cannot understand the proposal to now reduce this from four to zero. I would counter propose the reduction be set to two, with a clause that these are held by different operators to allow for business practices and also retain the right/option to transfer a SEV licence into another person's name.

I hope the council will take onboard my concerns and re-evaluate the proposed amendments.

From: [Licensing la2003](#)
To: [Sharon Davies](#)
Subject: FW: Response to Blackpool Council's Proposed 2021 SEV Policy
Date: 01 April 2021 08:36:01

Morning Sharon

Please find attached comments on the SEV review from Bar Heaven which I understand you are dealing with.

Many Thanks

Judith

Judith Brooks-Brennan

Licensing Officer

Licensing Services

Public Protection Division | Community and Environmental Services | Blackpool Council |

Municipal Buildings | Corporation Street | Blackpool | FY1 1NA

Post to: Blackpool Council | PO Box 4 | Blackpool | FY1 1NA

T: 01253 478589

W: www.blackpool.gov.uk

From: Bar Heaven
Sent: 31 March 2021 21:51
To: Licensing la2003
Cc: Lee Petrak; Dave Verity; Ryan Ratcliffe
Subject: Response to Blackpool Council's Proposed 2021 SEV Policy

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Dear Sir/Madam,

Thank you for your invite to comment on Blackpoll Council's proposed 2021 SEV Policy, please find below my comments and observations in general and on the revised policy (on Behalf of Heaven & Sinless Gentlemen's Clubs)

- Having watched the recent council licensing review meeting I am somewhat shocked at the clear moral grounds based witch hunt of SEV'S by certain councillors, which rather ironically is in contradiction to the councils own policy of not placing any weight behind an application or renewal of licence if the objection is based on moral grounds.
- I feel that rather than target the licenced and co-operative SEV operators such as ourselves, attention should be given to:
 - Sauna operators who the majority of the public and myself believe operate well outside their licence terms.

- Non SEV licensed Venue's, who do not have to, and in most instances do not, provide security or CCTV for the protection of the public or Dancers, do not have to adhere to any of the SEV policy therefore can provide full nude dances and despite legislation are not easily monitored to ensure only 12 such performances take place a year.
 - A local pub or hotel would not have to pay the £3800 per annum fee but could offer full nude dancing with no safety to the public or dancers every weekend and unfortunately Blackpool licensing would not be able to monitor or control it
 - In fact rather than our venues working with the licensing departments we could find 4 co-operative public houses and rotate round such venues on a monthly basis, while not having to employ security, pay SEV fees or incur a multitude of other costs involved in running a SEV.
 - It is not our intention to engage in such a practice but feel attention should be given to these issues to ensure no dancer is ever put in possible danger.
- I am part of the management team of more than one of Blackpool's SEV'S , namely Sinless & Heaven, and wish to make the following clear
 - All Dancers working at the above venues know that if they have any concerns at either work or home there is a 'House Mum', Management & Security who are always available to talk to both inside and outside work. As a management team we spend a lot of time with the girls ensuring they have no worries at home or work and are able to approach us at any time.
 - We ensure all the dancers work of their own free will.
 - Our venues have not to my knowledge had the need to call for external assistance (Police, Ambulance etc) and in fact probably have less crime related problems than that of any Blackpool alcohol licensed establishment.
 - We have regular unannounced visits from both Blackpool Police & council licensing team and to date they have not had any problems, and hope both teams can confirm this and that we welcome them with open arms and assist in all ways possible.
 - It should also be noted that Blackpool's SEV's have a topless only policy unlike the majority of the rest of the U.K.'s SEV'S. With Venue's as close as Preston, Stockport, Stoke-on -Trent & Manchester—allowing full nude. (Please note we are not requesting/suggesting full nude just highlighting how we working with the Council to provide amenities that some sectors of the visitors to Blackpool enjoy. But not to provide a 'smutty or sordid' experience as intimated during the Council meeting

With regard to the proposed changes we have no objections and have added our comments below;

- SECTION 3.3
 - In regard to the proposed changes, which include grandfather rights we have no objection as we believe that if a licence is revoked by the council then we are sure it is for good reason and would only be in protection of the Town, the Dancers or the public.

- SECTION 14 thru 18
 - We have no objections to the additions of these items to the policy, we believe these were historically added to another SEV licences terms due to previous incident's, and at the time advised Blackpool Councils licensing team that we would adopt them voluntarily and did so, despite them not being a requirement of our particular venue's. We do feel, however, that a change made to one SEV should prompt amendments to all, thus avoiding any allegations of either favouritism or victimisation

- SECTION 47
 - We have no objections to the 21 day retention of CCTV recordings and currently store recordings for well in excess of this time, such recordings are always available for authorised officers of the SEV listed bodies. I would just like to emphasise that such recordings are either password protected or stored in a safe, and are only ever viewed by senior management for dispute resolution

Steve Smith
Manager – Sinless & Heaven Lap-dancing Blackpool

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From: [Sharon Davies](#)
To: [Sharon Davies](#)
Subject: FW: Comments in relation to 2021 SEV Consultation (DAV645/1)
Date: 31 August 2021 16:48:01

From: Naomi Shaw
Sent: 30 March 2021 15:09
To: Licensing la2003
Cc: Rebecca Ingram
Subject: Comments in relation to 2021 SEV Consultation (DAV645/1)

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Dear Sirs,

We are emailing in relation to the ongoing consultation taking place in relation to Sexual Entertainment Venues in Blackpool. We act on behalf of the owner of the building in which Eden 1 is located. Eden 1 holds a current SEV licence, with a tenant in place who intends to trade utilising that licence – as has long been the case.

In general terms, we would strongly resist the proposal to cap the number of SEV's to 0. It is our view that all licensing applications should be considered on their own merits, and that arbitrary limits and caps are unhelpful. If any particular SEV application is considered to be inappropriate, you have the power under the existing legislation and your existing policy to refuse that application. However, we can see no reason why legitimate business operators who run responsible businesses in appropriate locations should be entirely barred from Blackpool. SEVs are heavily regulated as it is, and statistically cause very little harm to the areas in which they are located – often even falling entirely under the radar except to those who chose to visit.

However, should you determine that a cap is appropriate in Blackpool, we are pleased to note that there is a proposal in place to give existing SEV's grandfather rights despite the cap of 0. On behalf of our client we would highlight that it is absolutely essential that this provision remain in the final version of the new policy to avoid punishing legitimate and already existing business who set up in good faith under your previous policy.

Should you require any further information in relation to this consultation response, please do not hesitate to contact me.

Kind regards

Naomi Shaw
For and on behalf of Kuit Steinart Levy LLP

Naomi Shaw

tel: +44 (0)161 832 3434

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From: National SEV Coalition
To: [Sharon Davies](#); [Kelly Guy](#)
Subject: Regarding the Public Consultation on SEVs - a Submission
Date: 04 June 2021 15:18:08

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Dear Sharon Davies, Kelly Guy and other members of the Blackpool Licensing Committee,

We, the National SEV Coalition, are writing to you regarding the proposed nil cap on SEV licenses in Blackpool.

Our group is composed of str*ppers and ex-str*ppers from all over the UK. We oppose discrimination against str*pping, str*ppers and s*x workers in general. We are deeply concerned by the effect that the closure of Blackpool's SEVs would have on the workers, whilst the way in which the council handled the proposal suggests that proper process has not been followed.

Combined, the four clubs employ hundreds of workers: dancers, bar staff, security staff and management. Closing them down would negatively impact businesses that supply and maintain the local night-time economy, which has already suffered greatly due to Covid-19.

Furthermore, shutting down SEVs will not stop women from continuing to practice their **legal** profession. Many of the dancers, especially those that had to turn to s*x work out of necessity, will keep on working. This is due to numerous reasons, including; staying out of poverty, working around childcare commitments and the support of disabled family members, or as a career that provides time for educational advancement, and an outlet for expression within the creative and performing arts. Banning these clubs will only result in depriving them from a safe, regulated, and licensed environment to perform in. Meanwhile, bars and clubs will still be able to host ad-hoc str*pping events under TENs licenses all over the city, whilst dancers will potentially have to work at private parties (either in hotel rooms or at the customers' own properties), work in underground clubs or might have to get into more dangerous forms of s*x work.

A nil-policy will not lead to harm reduction - in fact it minimises access to safeguards such as worker access to security or CCTV, resulting in extremely unsafe positions. Taking away the very basic right to be safe at work from a worker practicing a legal profession simply because it does not align with your own personal moral values is a very dangerous path to take.

On 1st May 2021, we reached out to Blackpool's council as no business owner or dancer seemed to have been invited to take part in the licensing committee hearing that took place on 19th January 2021. Furthermore, no document seemed to have been submitted to support a change in policy. The current SEV policy in the UK states clearly that moral judgements and objections have no place when making decisions on the licensing of those establishments. Only evidence-based reports can initiate a change in policy, such as a Cumulative Impact Assessment from the local police that would demonstrate that the venues are a nuisance or dangerous for the public. No such document was submitted, and no member of the licensing committee made any comment that was not based on their own personal views of the industry.

One of the officers from the council that we contacted, said that the club owners were informed about the meeting prior to it taking place. We reached out to the owners concerned and one of them said they were only made aware of what was going on thanks to the information available in the press.

Moreover, the nature of the communication between the council and the media is troubling. According to the officer we have been in touch with, the local press reported that the public consultation had started its 8-week long period the day after the meeting in January. At the beginning of April, four articles in the national press reported that the consultation had only just started when in fact it had closed. This, in addition to the council's website not being updated appropriately, the information not being easily accessible and the clubs being closed due to the pandemic, made it very difficult for the public, affected workers and customers to oppose the proposed policy and have their say, particularly when they might not live in the immediate area.

It looks like the whole process was purposefully and quietly rushed through to ensure its success.

We have consulted with the former co-chair of a licensing committee in a different city and they have informed us that it is very poor practice to run a public consultation alongside local elections. They also highlighted the fact that the Blackpool committee wants to enforce a blanket ban across the city when SEV caps should correspond to wards restricted in coverage to no more than roughly 10,000 people. The area covered by Blackpool Council, although only 35km², consists of 21 wards and a population of approximately 139,000.

Closing down SEVs under the argument that it will make the city more "family friendly" is very questionable, as the venues do not have any outside advertisement and are only open at night, when children are most likely at home, sleeping. Will the regular bars and clubs have to close down too? This is the logical conclusion of this line of argument.

In addition, we are concerned by the language used and comments made by some of the councillors. "It's not the sort of thing ladies should be doing" said Councillor Hutton [in the Metro, May 2021](#).

Women should be free to do what they please with their bodies and should not be judged or publicly degraded for their choices.

It has been said in the press that the council wants to close the venues down to "cleanse" the city. This word is not only negative but dangerous. It also implies that dancers are "dirty", perpetuates a very harmful stereotype about our industry and adds to the stigma. Besides, does it demonstrate that the council is pursuing a class-based agenda and is trying to gentrify the city?

Local government has a duty to consult and consider as broad a spectrum of members of the local community as is possible. SEV owners and workers are members of the local community too. We respectfully remind Blackpool's licensing committee of their duty.

We hereby call for you to reconsider your decision and open communication with local SEV owners and workers to reach an agreement that all sides find acceptable.

Kind regards,
The Members of the National SEV Coalition

www.nationalsevcoalition.org.uk

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Consultation contribution from the NSWC
Collated by Toni Mansell - Chairperson

Prior to Covid, I was a stripper within Sexual Entertainment Venues for over a decade, a job I am proud to say I worked, and a role that gave me the skills, confidence and experience to become a successful business owner. I worked in this role in cities all around the UK, including Blackpool, which is why I have an invested interest both as a representative of Sex Workers in the North of England, and as a worker potentially impacted by the proposed zero cap. Although Covid has forced many of us into semi-retirement, the nature of stripping as a self employed form of income means that many dancers work the role for its flexibility; to take employment breaks around education, other employment, and life circumstances such as child rearing. Many dancers potentially take breaks of several years before returning to the job. This is especially true for cities such as Blackpool, which boast a seasonal economy (as is commonly associated with seaside resorts such as Skegness and Brighton) where dancers are often not local residents within the Council Authority, rather they travel to these areas to work during the peak tourist seasons.

It is a great shame as a travelling dancer, with a comprehensive list of safe, well regulated, enjoyable clubs that I felt comfortable and protected working in, to find that list becoming smaller and smaller each year, not due to the clubs closing of their own volition, but due to the decision of councils to zero cap the areas in question under the weight of pressure from extremist anti-sex work organisations, and gentrification regimes that place blame on our industry for problems relating to social disorder, and target our clubs as a 'quick fix' solution to assuage public fear relating to the nighttime economy, and demonstrate that the relevant authorities are 'doing something' about the country wide cultural problem of anti social behaviour and alcohol related violence, particularly violence against women.

Within this contribution I will be using statistical evidence to prove that this action is poorly informed, ineffective, and in fact, that zero cap cities have shown INCREASED rates of violence and anti-social behaviour since introducing these policies. I will also be using contributions from our collective community to demonstrate to the licencing committee the dangers posed by removing licenced premises, and forcing dancers into the underground scene, which inevitably will flourish in the face of prohibition. This directly opposes the stated aims of the council to show commitment to 'violence against women'.

I have been following with great interest the claims being purported regarding the bid to place a nil cap of Blackpool and remove the licences of your 4 existing strip clubs – namely the claims that this strategy is predicted to reduce the numbers of violent and sexual crimes against women in the area, and also improve anti-social behaviour as part of Blackpool's 'family friendly' strategy to improve it's image.

I have worked in a club that lost it's licence under such an agenda, Platinum Lounge in Chester City centre. Platinum Lounge was an incredibly well run club, with dancer

safety at the forefront and a culture of respect for the dancers, where we were treated fairly and well cared for and protected.

The club and its workers were subject to many of the same claims I have been reading in relation to Blackpool's zero cap campaign - that Strip Clubs were inherently damaging and degrading to women, that their existence contributed towards violence against women, and that a moral cleansing needed to happen to rid the city of the club; a war against objectification and the sexualising of women.

Over 80 staff became unemployed and dancers were displaced, being forced to travel further and lose regular customers and income, as well as putting them at increased risk of violence in less regulated venues such as 'pop up' clubs that are not held to the same standards as those under SEV Licensing (displacing sex workers from their places of work is proven to increase the risk factors associated with the role)

<https://www.lshrm.ac.uk/newsevents/news/2018/criminalisation-and-repressive-policing-sex-work-linked-increased-risk>.

There is a wealth of academic research available, which challenges the claims being made in favour of a nil cap in Blackpool. The Sex Work Research Hub hosts an array of brilliant academics, some ex sex workers themselves, who have produced articles and statistics to question the inherent link between Sexual Entertainment Services and normalised violence against women.

Of particular note, Jane Scoular is currently the Principal Investigator on an ESRC-funded project '**Sex work and Sexual Violence (2021-23)**' which explores how socio-legal contexts shape the experiences of sexual violence among people engaging in sex work. Important context forgotten in the absolutist arguments of "Not Buying It" and similar organisations, that have been vocal on the topic of Bristol's nil cap deliberation. Additionally, co-chair Professor Teela Sanders produced work on this very issue I am writing to you regarding today, '**Regulating Strip-Based Entertainment: Sexual Entertainment Venue Policy and the Ex/Inclusion of Dancers' Perspectives and Needs**' stating "*how community and campaign group voices were heard over that of the dancers themselves*".

This is certainly poignant, as the livelihoods of Blackpool's dancers are being threatened with erasure due to the elevated voices of 'women's rights groups' and Council members rather than the perspectives of the dancers themselves being held as of the highest importance. Additionally, as dancers have been prevented from participating meaningfully in the public consultation due to the barriers to accessibility created by Covid 19 and the associated lockdowns, and the failure of the Council to ensure transparent reporting of a public consultation taking place.

<https://www.mirror.co.uk/news/uk-news/blackpool-axe-lap-dancing-clubs-23843174>
(2nd April 2021)

<https://www.dailystar.co.uk/news/latest-news/uk-stag-capital-blackpool-ban-23844221>
(2nd April 2021)

<https://www.thesun.co.uk/news/14533288/blackpool-bans-lap-dancing-clubs-family-friendly-resort/>

(2nd April 2021)

<https://www.independent.co.uk/news/uk/home-news/blackpool-lap-dancing-clubs-ban-b-1826320.html>

(3rd April)

I have included links to 4 press stories, all using the exact same quotes and information verbatim (which suggests this is a standard press release as written by Blackpool Council, published by varying media outlets) which clearly all state there will now be an 8 week public consultation process. However, the consultation in fact closed for contributions on 31st March.

Due to the nature of Sex Work, especially Stripping, many dancers do not work in their home towns for the sake of safety and anonymity. Dancers will also work particular areas for summer months when the economy thrives, and elsewhere when the season ends, as the number of dancers required decreases. Many customers who enjoy Blackpool's strip clubs will also be seasonal tourists (in fact, it is exactly these 'outsiders' that patronise the clubs that the council have stated they want to discourage). Many dancers and customers alike who will be impacted by the Zero Cap are likely to not live in the Blackpool area, and as such their ability to contribute has been severely impacted by this incorrect reporting, and by the lockdown that was in place for the whole consultation period.

The NSWC is grateful that a legal representative via contact we made with the democratic officer allowed us to contribute until 4th June. But it is concerning when considering the grave impact this policy decision could have on so many lives and livelihoods, to see these kinds of careless mistakes being made. Additionally, there are questions we would like answered, such as why was the process so rushed?

The council's announcement that it was putting this proposal forward was made several days before they met on January 19th to discuss the decision. The public consultation was seemingly launched the next day. This was during a national lockdown, when clubs had been closed for a period of almost 12 months. This placed the clubs at a disadvantage as it created barriers to accessing key stakeholders to inform them of the process for contributing. It also meant that a lot of the usual ways of advertising a public consultation, such as in local libraries and town halls, were not in use, as well as the venues themselves. It is also according to our contact who previously sat on a licencing committee, considered poor practise to run a public consultation alongside local elections, and the wards of Highfield and Norbreck ran by elections for local councillors on Thursday 6 May 2021, meaning this campaigning was ongoing during the consultation process.

Additionally, it appears no stakeholders have been invited to speak to the licencing committee at any point in this process.

In 'Flexible Workers: Labour, regulation and the political economy of the stripping

industry' Sanders and Hardy conclude "*Dancers occupy a privileged position for understanding and critiquing their own conditions of existence... Dancers can speak, if only we will listen*". It is shameful that this informed perspective has been ignored.

There are more complicated questions relating to Blackpool that it would be really beneficial to receive answers to, for example, how can Blackpool justify a zero cap on their entire Council authority, when considering the fact that, in general, SEV caps are varied by wards, which are restricted to areas of roughly 10,000 people, but the area covered by Blackpool Council, although only 35km², consists of 21 wards and a population of approximately 139,000. The Council's website states that "Blackpool Council's policy is to limit the numbers of sexual entertainment venues to 4. Such venues are only permitted in the Bloomfield, Claremont and Talbot wards." Why is it necessary to completely eradicate the entire industry under the guise of being 'family friendly'? Do all nightclubs have to close too, because they're not 'family friendly'? What is the purpose of this sweeping ban, and why are the council not willing to enter discussion to find a compromise between the adult industry and their vision for the sea front?

Unfortunately, beyond the interaction with the democratic officer which I have already detailed, the council have failed to respond to any efforts to open conversation made by worker-led organisations and representatives, including failing to respond to an official complaint I made on the 9th May.

It is also gravely concerning to read the outdated and discriminatory comments being made by those trying to push through these policy changes, such as "it's not the sort of thing ladies should be doing" (Councillor Hutton, as quoted in the Metro, May 2021). The legislation that underpins SEV licencing means that our employment should not be threatened by moral opinions, feelings, nor image based reasons, as have all been stated by Peter Hunter and Mr Hutton. It does not matter if any councilman does not agree with our autonomy to dance, his position as a licencing committee seat is not to comment on his personal opinions about Stripping.

There were mentions in these press releases of 'complaints from members of the public', but the main quotes from the council to justify this proposal related to the clubs being 'seedy', and in relation to gentrification, to 'clean up' Blackpool's image. The language used was emotive of associating Strip Clubs with being dirty and causing social disorder in the 'sort of' people they attract. This rhetoric being published in national and local media with no dissenting opinion, no voice of the stakeholders, and no voices speaking for the worker experience until we got involved means that our livelihoods have been up for public debate and discussion without us invited to have a seat at that table - figuratively and literally, with no worker representation invited to the meetings. This creates an unbalanced power dynamic, where we are spoken for, and of, on decisions that affect our lives, without our expert contribution.

Since I am interested in facts and research, and the aforementioned councillors quoted in published press have made claims that strip clubs are responsible for violent

behaviour, I thought it pertinent to question if there was any statistical evidence to demonstrate the reduction in rates of violent crime in the instance of an English city with a pre-existing zero cap. In my previous incarnation, I was a Probation Services Officer, undertaking a PQUIP with the National Offender Management Service. I am trained in the areas of working with men who have committed violent crimes, and sexual offenses against women, so I have both personal and professional interest and experience in this kind of data.

Research

Using Platinum Lounge as a case study, I began to research government statistics to see if, in fact, there was any evidence that its closure and nil cap within the city had indeed reduced rates of violence, in order to add the weight of evidence to Bristol's decision making rationale.

Platinum Lounge in Chester was closed in July 2015, so I have elected to look at the crime statistics for Chester to see if closing the city's only strip club contributed to reducing the rates of violent crimes reported in Chester City Centre.

As a sampling unit, I looked at the month of December, starting in December 2013, which includes 2 years of statistics prior to Platinum Lounge's closure, up to and including December 2019, before Covid closed the majority of nightlife venue, as this wouldn't be an accurate comparison to include figures from the lockdown period.

In Dec 2013 there were 46 recorded violent crimes in Chester City centre.
In Dec 2014 there were 58 recorded violent crimes in Chester city centre.
In December 2015 there were 63, 2016, there were 70, 2017 there were 127, 2018 101, and in 2019 5 years after Chester's purge of its Strip Club, there were 99 recorded violent crimes in Chester city centre.

These statistics can be fact checked from the source
<https://www.ukcrimestats.com/Neighbourhood/9887>

Now, to ensure this data was not an outlier for the month of December, I decided to repeat a study of comparison of rates of violence for another month, namely June, which means we can include June 2015 in the pre-closure bracket for comparison, as Platinum Lounge did not close until July 2015.

June 2013 – 44
June 2014 – 34
June 2015 – 40
June 2016 - 58
June 2017 - 49
June 2018 - 70
June 2019 - 72

Again, in this sample, the numbers of Violent crimes in Chester City centre have

increased year upon year AFTER Platinum Lounge's closure. This is even more interesting as the numbers had actually dropped for 2014 and 2015 - It is in the years following the Strip Club closure that violence rose, pointing at the opposite narrative that the Strip Club's presence kept the rates of violence in Chester City centre down?

<https://www.police.uk/your-area/cheshire-constabulary/chester-city/?tab=Statistics> further confirmed that in the last 3 years, Violence and Sexual Offences in Chester City Centre had increased by 22.2% (percentages true as of 23/03/2021).

These statistics include Violent crime as one encompassing bracket of violence and sexual assault, these are offenses grouped into 2 broader categories, violence with injury, and violence without injury (not including robberies). So although I could not access sexual assault statistics for the city centre individually for these dates periods, I further researched the overall annual crime statistics for Chester and Cheshire West from Cheshire West and Chester Community Safety Partnership Strategic Assessment 2015 to see if the trends followed the same pattern. This is a larger geographical scope of the partnership area, but gives a good indication if we can consider the figures above to accurately reflect the trends of sexual violence.

The number of sexual offences recorded in Cheshire West and Chester increased by 21% from 317 in 2014 to 383 in 2015. This is a continued increase from 218 in 2012 and 279 in 2013.

In 2016, the total number of recorded sexual offenses in Chester and Cheshire West was 461. For the year 2019, this number had risen to 800 recorded cases. (source - <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/recordedcrimedatabycommunitysafetypartnershiparea>)

While this look at data and figures was only a brief investigation, it strongly implies that closing the city's only strip club did not impact the numbers of violent crimes in any way, in fact they have risen year upon year. Even taking into account influencing factors such as the change in the way certain crimes were recorded which contributed to a rise in statistics for crimes such as Anti Social Behaviour in 2016, there is zero evidence to prove that removing strip clubs reduced violence, and particularly violence against women, in Chester.

We ask the committee to consider this evidence in their decision making process, can they stand behind the claim that strip clubs increase violence when we have documented statistics that prove otherwise?

It is intellectually and academically dishonest to put weight behind a bid to close Strip Clubs under the guise that their removal will reduce the numbers of violent crimes within Blackpool, when statistics from a case study of a city with a nil cap shows no impact on the rates of violence.

By closing down strip clubs and removing the autonomy of those women to work, councils will be acceding to the puritanical moral panic created by sex work

exclusionary groups who seek to persecute sex workers and the industry, and putting a band aid on the issue for a 'quick fix'. Rather than undertaking the difficult work to introduce long term rehabilitative methods to reduce offending in those men with proclivity to commit violence against women, such as investing in re-education of social and cultural norms that embolden men to harrass women through archaic, patriarchal rhetoric. Through my own experience working for the Ministry of Justice, we are taught to challenge the misogynistic attitudes of offenders who commit crimes against women, in order to reduce the rates of recidivism in those crimes. Perhaps our Councils, and indeed government, need to look away from an avenue of action with no evidence to support it's success, and focus on strategies to reduce violence against women with proven success.

Thank you for your time and I hope you consider these statistics, and research claims being propagated, before making your decision to disempower working women, and increase the risk of harm to them. If clubs are closed, the stripping scene WILL be pushed underground. We have collated a short report on the dangers of this eventuality as part of our contribution, along with testimonials from a cross section of the Blackpool sex work and strip club community.

Contributions from our members and allies who are residents of Blackpool, work in Blackpool's Strip Clubs, or Patronise them.

We have not altered any of the writing of the contributions sent in by our members and allies, and have only included what identifying information each individual was happy to have shared. We hope that these testimonials will give a humanising voice to the community of the Strip Clubs, and help the council to become better informed of our lived experiences outside of the archaic, outdated stereotypes perpetuated in the press by Peter Hunter and Adrian Hutton. These councillors have spoken for us and about us in ways that we do not resonate with as the real people of the industry being demonised. We are not seedy. We are not exploited. We do not need to be held to outdated traditionalist ideas of what a 'lady' should be doing. Not all strip club patrons are men. Not all sex workers are cis het women.

Amber's Contribution

Amber has asked us to share her story as part of our consultation contribution as a Transgender woman who lives in Blackpool. Amber is a Sex Worker within our collective, who believes her story about her journey deciding she wanted to be a stripper should be heard, so committee members can understand what happens when women cannot access clubs to work in, and to shed misconceptions about the regulated industry.

"I wrote to clubs in the U.K., they were totally against me doing it. Some didn't write back, some offered me contracts that they knew I wouldn't be able to accept. Some didn't know what to say because they all knew writing back saying no your a TS girl we don't accept you is against equality employment legislation.

In the meantime I'm thinking how can I do this just by me using my own resources, I tried strippergrams who put me on the books and didn't give me anything as they didn't advertise me, I though I could do private parties or private individual dances. I soon found out that they weren't interested in me dancing except for an intro they were interested in the extras I could provide after it. With that security worried me. A room with one guy or a number of guys and just me?? I decided against it, although I did do a stag night for a female friends friends which was fine... as I knew them. I also danced at a gay club doing just pole on a stage once a month and loved it, but I was safe and the management and security were excellent.

So I still wanted to break the mould with a normal strip club, still nothing... it's obvious that there are plenty of guys out there that wanted to see girls like me dance.

So by total chance I was out one Saturday and stopped at a shop for cigarettes. Normal shop normal place... this guy came over and said I'd like you to work for my company, my girlfriend is the boss please give her a call and he shouted a number at me... I was so shocked I didn't remember anything except the name... an escort agency. It played

on my mind for a few days and I had a remote interest in wondering what the job entailed but wasn't intending to do such a thing. But I thought maybe I could use it if a way of getting this sexy side out there where others wouldn't let me. So I found out who it was and did the job part time for around 3-4 years until family found out and I had to leave. All my time working for 3 different NE agencies I was treated well, earned good money and had security at hand if I needed it, I didn't need it and 99.9% of people who came to see me were nice, only once did I have to ask someone to leave and he did. Surprisingly I did actually enjoy this job and have no regrets. In some ways it's a job I loved doing, someone wants you, someone admires you, you can dress as you please, you find a pride in dressing up for your clients, you can have pleasant times, I was appreciated by my bosses at this job, party's, Christmas presents, dinners out and even security meetings and seminars officially arranged with our local Police and NHS Good money too. So there was actually more care and better pay there than at normal jobs. No doing it I miss that adoration factor, it's always nice someone fancies you! And to our legislators I would also add... you were quite happy to take my taxes and earn from it because ALL my earnings were declared.

During that time I had a breakthrough... a club in Germany wanted me to dance, I booked holiday to do it, left within a month to finally dance where I wanted to! I was well treated, the club had security, the female manager was very strict but fair, we always got paid exactly right and on time, the club was spotless. I still swap messages with them to this day and yes they would have me back. I also made friends for life with the Czech girls I danced with, they looked after me like Sisters and I stay with them still and have a totally free holiday if I go and the best guided tour of Prague.

Upon coming back to the U.K. I was determined to dance here. In the end I found a club in Redcar 'Angels' who finally let me dance! I can go there anytime and dance I just have to call them.

The pandemic, ... social media, I've had so many requests for private dances and more. Messages asking when am I going back to my club or do you have a private page or can you send me a video etc. To which I've done none. So that pressures still there when everything is closed.

The conclusion of my story is that if your not allowed to do what you'd like to do you will find the nearest avenue, especially if you need the money to live. Social media now will supply the means, but accepting it would be dangerous. I didn't it was a challenge for me. That avenue may not be safe, it may not be exactly what your looking to do, but if your circumstances force you you may end up in an unsafe place, you may end up really doing something you'd rather not be doing. (or maybe you want to do it). Safe choices are the key.

This country has such a opportunity here to create safe spaces and businesses for Sex Workers, to protect them, to earn tax from them, to completely put things above board. SW is as old as time, it will always be here above ground or below, the choice is theirs. This is 2021 why then the Puritan hang ups. If they were straight about it it would be just

a normal part of society take it or leave it. By doing what their doing because they don't understand it and puritanically don't want to their making things worse in all respects for all sex workers. If their thinking also by doing this it's helping society their not... loss of jobs, pushing workers below ground, making their lives unsafe, and in some cases they will be creating frustrated dangerous individuals who will find other ways to please their desires.”

Matt's contribution. Although from Southend, Matt has been a patron of Blackpool's Strip Clubs regularly over the years, as he enjoys visiting the town to enjoy the sights and nightlife.

“Strip clubs are a staple of seaside towns. People come from all over to visit them boosting trade in the area. Not only that, locals enjoy going there, either for companionship or escapism from their everyday lives.

You get a lot more trouble in pubs and clubs without strippers. Striptease venues are different from normal places - a lot of the problems you would normally get aren't as prevalent.

If the strip clubs in Blackpool were closed, it wouldn't feel good, as those are jobs that people are going to miss out on.”

Jo's Contribution. Jo is a Stripper within our collective. Prior to Covid she worked seasonally in Blackpool, and regularly in Manchester/Preston/Bolton.

“I've danced for 13 years. I literally can't comprehend them shutting the clubs, I feel FAR safer at work than in any random bar and it will just push women into unsafe situations because it's not going to remove the demand.”

Kara's contribution - Kara Bulpitt, Wigan resident, is a customer who patronises Blackpool's strip Clubs. (It is rare that representation is given to the voices of women who enjoy strip clubs as clients, and we feel it is important to platform their experience.)

“So here's a input from a straight happily married women who worked for the NHS for 24 years and now local authority.

I have never been a stripper.

Many years ago a friend was and as she was entering retirement we would visit strip clubs across the north west England.

I've always had the outlook of don't judge and do what makes you feel you and happy. Going into a strip club empowered me.

The atmosphere, the movement of the women the strength. I was in complete awe. I would also pay for a dance from the women out of respect. I would never go in and just sit at the bar. I would brace the beauty of what these women were doing.

Most did it to earn extra cash as where at uni etc but a lot choice this as there profession their career. It suited their families and they were very good at their job.

I always felt safe as a client. I would be treated with kindness and support. Other staff members respected each other. Especially in Blackpool. Yes I would go with my children and enjoy Blackpool this way but I'd also enjoy time in the club's other nights.

Women choose to work their and choose their careers. I chose to go their and choose to spend money and time with everyone there.

ITS OUR CHOICE

I've been to strip clubs and seen ONE person thrown out in 8 years for being inappropriate. But I've seen far too many in more bars and clubs

Strip clubs are a choice and extremely fun and safe to be in. Please keep them open. You're removing someone's choice of career for nothing."

Katy's contribution. Katy is a Blackpool resident who worked one of the non-sex work roles within Blackpool's Strip Clubs. These are jobs that will also be eradicated if a zero cap is imposed, which seem to have been absent from the public discussions.

"My first job as an adult was bar maid and later bar manager of heaven. I was close to leaving education because I couldn't earn enough income around my studies then I found that job. The bar brought a lot of revenue to the town with stag parties etc who would come to us and then go out in town afterwards. It was extremely rare we had aggressive customers and when we did there was ample security that sorted it quickly. I made friends with a lot of dancers, every one was of them was self employed and a dancer by choice.

Spending my teens and early twentys in Blackpool I worked in most nightlife venues at some point, I had significantly less problems with being groped, threatened or aggression from customers in heaven that at any non strip bar, pub or nightclub I worked at in Blackpool."

Toni's Contribution.

“This is my personal contribution. Not as the Chair of the NSWC, but as a researcher and activist... and most importantly, as a dancer with years of experience working in Blackpool.



In fact, I was actually the face that advertised the short-lived Rouge Gentlemen's Club on Clifton Street. (I've even included a picture - that is indeed me!) When the promotional staff would walk through the town centre with advertising to try to tempt party goers into the club, it was my picture that was displayed.

Interestingly, I not only worked in Rouge as a stripper, but as a model for aspiring photographers, and as a dancer for a music video. The venue and performers were hired out for such opportunities, as the management saw us as the artists we are, and took pride in the establishment and performers. They supported us in acquiring work in other avenues of performance arts, should we be interested in them.

The idea that strippers are exploited, or underqualified for any other roles, or that the industry is a sleazy den of gaudy neon and salivating men is a clichéd misconception. As is the idea that we cater exclusively to lairy stag dos and lager louts, and that dissuading those clients will cause the clubs to go out of business. Less discussed or understood in wider society is the intimate, holistic role dancers play in the lives of many clients. Danielle Egan wrote a fascinating book regarding dancers and the dynamic of the relationships they have with their regular customers, taking an intricate look at this therapeutic role of comfortable companionship with clear boundaries. These customers are also often our highest paying clients, as well as the most respectful, and I can assure you from my own experiences working in Blackpool that as a town with a large number of the population aged over 60, with disposable income, many of your most lucrative strip club patrons are from this demographic. Many men are lonely, do not wish to be unfaithful to their partner or hurt any feelings, but enjoy the companionship and intimacy of a bond of trust they build with a club dancer. They pay to talk, be listened to,

to hear stories of a life far outside their own scope of existence, and do so while sitting in the presence of a charming woman, without any complications or mixed messages.

Also one of the biggest misconceptions of the Strip Clubs is that they are violent, or contribute to violence due to 'objectification'. When in fact, the statement we hear most commonly repeated by dancers (and it has also been repeated by women bar staff and patrons too in these contributions) is "I feel safer in Strip Clubs than in any other nightlife establishment" and "I have experienced more violence and sexual assault in 'normal' nightlife venues than I ever have in an SEV."

This is my experience too. I was punched in the face by a 'local' while enjoying a recreational weekend in Blackpool, in fact I was visiting to enjoy an event with Amber (quoted above) and several other friends from across the UK. The reason? I was 'in her way' on the stairs in a nightclub. I went home with a black eye. This is the only experience I have with being assaulted in a Blackpool club. The fact the councillors have blamed 'outsiders' and strip clubs for unwelcome behaviour in a 'family friendly' resort, and yet my only experience of such behaviour has been in a non SEV at the hands of a local, speaks volumes for how misguided and poorly informed the decision to pin blame on our industry truly is.

It is simply a practise of turning us, as a marginalised faction of people, into the current 'folk devil' for Blackpool to blame for socio-economic problems and public disorder, encouraging the community to 'other' us, and then imposing policy to restore public confidence in the council's ability to 'get things done.' As a previous employee of the British Criminal Justice system, having studied Policy for a Community Justice BA and a Social Psychology BSc, I have not only seen many examples of the same practise being applied to other factions throughout history, but also have studied the outcomes of effectiveness of these policies. Invariably, they have failed to achieve their proposed outcomes, and have increased the rates of discrimination, risk of harm and exclusion for the people to which they are applied.

As Amber disclosed, I too have been offered both private and underground work during the pandemic, while clubs are closed. There is no way to avoid the reality that if regulated SEV licenced strip clubs are closed entirely in Blackpool, you WILL have an underground scene flourish, creating the exact problems the council are considering policy changes to counter."

The NSWC Vice-Chairperson has spoken to our collective to collate worker's voices and real life experiences of the underground scene to better educate the committee regarding the reality of the thriving underground strip club industry, that prohibition is shown to directly contribute towards increased demand for. As Blackpool promotes itself as being committed to reducing violence against women, in solidarity with the White Ribbon campaign, we feel it is imperative that the committee understands the increased risk of harm, exploitation, and violence against women that removing regulated establishments contributes to.

The Consequences of Closing Strip Clubs

By Gemma Gilson

Let's assess the impact of closing strip clubs in the UK and, specifically, the effects this would inevitably have on the Blackpool area. Due to the pandemic, we have a rare opportunity to see the consequences of strip clubs being closed in action. I have spoken with a number of strippers who have had to find other means during the pandemic, with strip club spaces being shut. Here are their experiences in their own words¹.

Stripper 1: *"I'm in Scotland and I know for sure some of my dancer friends did private parties. They did it independently rather than through an agency. They were finding their own clients through instagram etc., so they didn't have security. This is absolutely more dangerous working conditions than a club. It worries me the number of dancers that have had to turn to performing at private parties to make up for lost income while clubs have been shut.*

If there's a nil cap on strip clubs, more people will get strippers to perform at private parties where they might be at remote locations without their own transport and security, without cameras and outnumbered by men. Many dancers will have no choice but to work in these unsafe spaces if you take strip clubs away. Sex work will always be a thing whether you like it or not, so you should continue to facilitate a safe space for these practises to happen in, in order to protect the workers that choose to be involved.

Stripper 2: *"Due to clubs being shut, I had to conduct underground work in order to survive. I met a few loyal customers in hotel rooms. I was only offering the same services as what they would get at the club: lap dances, nudity, flirtation, conversation. No sexual activities. I found it way more challenging to keep those boundaries clear in that environment compared to the club. And of course, without security, there's always a risk something bad could happen. I feel safe in the strip club environment because I know there is security to have my back and customers must abide by house rules, so I know my boundaries won't get violated. I feel in danger and exposed working the way I have had to. I don't know what I'd do if my strip club was taken away from me when we are able to go back to work."*

Stripper 3: *"I've been working a few underground parties up north while clubs have been shut when I have been really needing the money. One job was a private party at a stag do. It was me, another dancer and fifteen guys. We were hired by them for hostessing and private dances. We both felt really nervous about the job, because we*

¹ All statements are anonymous to protect the identity of these people for the following reasons: all sources agreed to give statements providing they remain anonymous; not all sex workers are 'out' and wish to keep it this way due to the social stigma around sex work (being 'out' could affect personal relationships, safety and other job or job prospects); some experiences detail traumatic experiences; all underground activities evidently break covid rules.

didn't know any of the guys and it was just going to be us, in the middle of nowhere, in a huge house. We turned up at the venue and because it was in the middle of the countryside, we had no phone signal- we were at least hoping even without security that we would have our phones if we had an emergency. But then again, we could only call people we knew, we couldn't call police because we were breaking pandemic rules. So we were very much going in blind and without protection. I always knew at the club I would be safe with the bouncers right on hand to help out and I knew I would be protected, so this experience was the complete opposite and I felt at risk. I was lucky to have the other dancer there that night as we could try to look after each other. The guys were okay...but they were breaking our boundaries a lot. It's really easy to assert your boundaries in the club because you have to stick to the no touching rules and if a customer gets whiny about it, you have the power to say no and even kick them out if they dare even try breaking club rules. But in this situation, the only reason for you to say no is because you as a dancer doesn't want to. When you're selling a fantasy, this doesn't bode very well and it can easily either put clients off or they may like that they've put you in a vulnerable position and exploit that. There's only so much 'politely saying no' you can do in these situations. Both me and the other dancer were groped all night against our wishes. All the men were incredibly drunk and out of control. We also had some serious advances from the man that had booked us and tried to force us to sleep with him. We managed to quickly pack up and get out of there before the situation escalated. I've had some underground parties go better, some worse. But ultimately, I do not feel safe working in these spaces and these experiences make me cherish having safe and regulated strip clubs."

Stripper 4: *"I worked at one underground 'pop up strip club' a month ago, my experience was so bad I wouldn't ever try a place like that again. We were assured there would be security on the night, but they were caught up in the whole party and weren't looking after the dancers. Everything was totally wild and unregulated, it was very much a free for all. There was drink and drugs everywhere, it was so messy and scary to work that night. We had a dingy room in the back to conduct private dances. There were no cameras or security waiting outside unlike the club, so I had to be on my guard more than usual. It was really difficult as well as I was working alongside some full service sex workers, so many clients assumed these were the levels I was working to as well. I feel very triggered by that night. I've been very privileged to be supported enough during the pandemic that I haven't had to work more underground events. But things will go back to normal soon enough and I will rely on my local club massively."*

Stripper 5: *"I am a university student and currently a carer for my disabled mum. This year has been incredibly hard on us financially, so I've continued working as a stripper. I have been travelling to an underground club in London. It's a totally unregulated place in someone's basement. No cameras, no security. Customers know they can exploit us because there's no-one to protect us and we can't object. Some dancers offer higher levels than I do as well and this leaves customers confused and sometimes angry when I say I don't offer that. I'm one of the dancers that may be directly affected by a nil cap being introduced. This will turn my world upside down. I won't be able to support myself or my mum and I won't be able to do a job that I enjoy. Or at least it's a choice between*

that and continually putting my safety at risk. I've seen some other dancers in these places get more hurt, harassed and abused than me. I don't want that to happen, but I may not have the choice. Give us the choice."

All testimonials from these strippers clearly show us that, whatever the situation, strip work and sex work will persist and exist. There will always be a demand and there will always be workers to satisfy this demand. Despite being in a global pandemic, this work has continued and thrived, albeit illegal. Closing strip clubs when the world 'reopens' will not stop this activity. We have a glimpse into the consequences of shutting these spaces and impact on workers. In eradicating Blackpool's strip clubs, you will only force this nature of work underground in dangerous environments. The singular result will be an increase in illegal and unregulated activity. Crime rates will go up, your citizens will be in danger. In strip clubs, workers are able to carry out their jobs in a legal and safe way. These spaces offer security and regulations to the highest degree. Taking these away will only put workers in harm's way. Those that have chosen to do this work should not have this option taken away from them, especially when this is a question of morality. Strippers wholly value SEVs and need these spaces. Do not punish those that have had to survive through such a difficult year. Please keep these spaces open to allow strippers to conduct their legal services in a controlled, regulated and safe space.

Final Words from the NSWC

The Northern Sex Work Collective implores the committee to vote against the ill advised zero cap, and instead sit down with us as experts in the industry, to work together to create a strategy for Blackpool that creates the best outcomes for EVERYONE. Especially those most vulnerable to being hurt by these policies. We have seen from the public facing meeting recording that the Licencing committee has not had one stakeholder present to guide their decision, and there has been zero representation of the voice of the worker, sex industry advocates and experts, nor those best qualified to comment of the accurate experiences of those engaged in the strip club industry. This has been painfully apparent in the misogynistic and poorly informed moralistic statements certain councillors have made to the press. Let us not forget that moral arguments, nor image based reasoning are NOT sufficient justifications, in line with SEV legislation, to impose a zero cap. There is no reason why a reasonable, proportionate compromise cannot be reached between the council and the clubs, focusing on a harm reduction strategy that creates the best outcomes for everyone.

Toni Mansell
Chairperson of the Northern Sex Workers Collective

Proposed Sex Establishment Policy 2021

Blackpool Council



Proposed Sex Establishment Policy 2021

Contents

1. Introduction	03
2. Making an application	05
2.1 Advertising of applications	06
2.2 Objections	07
3. Determination of applications	07
3.1 Refusal of licences	08
3.2 Suitability of applicants	09
3.3 Number of Sex Establishments	11
3.4 Location of licensed premises	12
3.5 Conditions	12
3.6 Duration of licences	12
3.7 Revocation of licences	12
3.8 Appeals	13
4. Complaints and Enforcement	13
4.1 Complaints	13
4.2 Enforcement	13
5. Cancellation of licences	14
Appendix A – Standard conditions for sex shops	15
Appendix B - Standard conditions for sexual entertainment venues	17

Proposed Sex Establishment Policy 2021

1. Introduction

This policy statement sets out Blackpool Council's approach to the regulation of sex establishments in the Borough.

Nothing in this policy undermines the rights of any person to apply for a licence and have the application considered on its individual merits, nor does it override the right of any person to make objections on any application where they are permitted to do so under the Act

The policy covers the operation of the following:

1.1 Sex Shops

A sex shop is defined as any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating –

- a) Sex articles; or
- b) Other things intended for use in connection with, or for the purpose of stimulating or encouraging –
 - i) Sexual activity; or
 - ii) Acts of force or restraint which is associated with sexual activity.

1.2 Sex Cinemas

A sex cinema is defined as any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which –

- a) Are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage –
 - i) Sexual activity; or
 - ii) Acts of force or restraint which are associated with sexual activity;
- or
- b) Are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions.

But does not include a dwelling house to which the public is not admitted.

Proposed Sex Establishment Policy 2021

1.3 Sexual Entertainment Venues

A sexual entertainment venue is defined as any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.

“Relevant entertainment” means –

- a) Any live performance; or
- b) Any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)

The following premises are not sexual entertainment venues:

- a) Sex shops and sex cinemas
- b) Premises which provide relevant entertainment on an infrequent basis i.e. premises where –
 - i) No relevant entertainment has been provided on more than 11 occasions within a 12-month period;
 - ii) No such occasion has begun within a period of one month beginning with the end of the previous occasions; and
 - iii) No such occasion has lasted longer than 24 hours
- c) Other premises or types of performance or displays exempted by an order made by the Secretary of State

1.4 Waivers

Schedule 3 of the 1982 Act makes provision for the Council to grant a waiver from the requirement to hold a sex establishment licence in any case where it considers that to require a licence would be unreasonable or inappropriate. A waiver may be for such a period as the Council thinks fit.

The Council does not consider it would be appropriate to permit waivers from the requirement to hold a sex establishment licence in respect of sexual entertainment venues particularly as the legislation allows relevant entertainment on an infrequent basis of no more than 11 occasions within a 12month period, providing there is at least one month between each period of entertainment which itself does not last for more than 24 hours.

Proposed Sex Establishment Policy 2021

The Council may at any time give a person who would require a licence but for a waiver notice that, the waiver it to terminate on a date not less than 28days from the date the notice is given.

Whilst each application will be considered on its own merits by the Public Protection Sub-Committee in light of the exemption in relation to the provision of relevant entertainment on an infrequent basis the Council takes the view that waivers are unlikely to be appropriate in relation to relevant entertainment and would only be covered in exceptional circumstances.

2. Making an Application

Applications for the grant, renewal, variation or transfer of a licence must be made on the prescribed form, which is available upon request from the Licensing Service or at www.blackpool.gov.uk. Applications can be submitted on paper or electronically.

New applications or variations which involve a change of layout must be accompanied by a plan of the premises to which the application relates. The plan must show:

- a) The extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- b) The location of points of access to and egress from the premises;
- c) the location of escape routes from the premises;
- d) In a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
- e) Fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- f) In a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- g) In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- h) In the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- i) The location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and

Proposed Sex Establishment Policy 2021

j) The location of a kitchen, if any, on the premises

2.1 Advertising of applications

Applications for must be advertised on/near the premises to which the application relates and in a newspaper circulating in the Borough.

On the premises

A notice must be displayed at or on the premises to which the application relates for a period of not less than 21 consecutive days from the day the application was given to the Council. The notice must be in such a position that it can be conveniently read by members of the public.

The notice must be on paper sized A4 or larger containing the information detailed below printed legibly in black ink.

In the newspaper

Applicants must give public notice of the application by publishing an advertisement in a local newspaper that circulates in the Blackpool Borough no later than 7 days after the date the application is made.

The notice must state:

- a) Details of the application and activities proposed to be carried on,
- b) The full name of the applicant,
- c) The postal address of the premises, or where there is no postal address, a description of the premises sufficient to enable the location and extent of the premises to be identified,
- d) The date, being 28 days after the day on which the application was given to the Council, by which representations may be made to the Council in writing.

A specimen notice is available upon request from the Licensing Service or on our website www.blackpool.gov.uk.

Proposed Sex Establishment Policy 2021

2.2 Objections

Objections must be made in writing (email is acceptable) within the period of 28 days from the date on which the application is given to the Council and should include the following:

- The name and address of the person or organisation making the objection
- The premises to which the objection relates
- An indication whether the objector consents to their name and address being disclosed to the applicant.

No weight will be given to any objection that does not contain the name and address of the person making it.

An objection must state the grounds on which the objection is made. Persons making an objection are encouraged to provide full reasons for their objection and, where possible, demonstrate how their reasons are relevant to the mandatory and discretionary grounds for refusal (if any) as set out in this policy.

No weight will be given by the Council to objections made on moral grounds or those that are in the opinion of the Council, frivolous or vexatious.

Where an objection is received, the applicant will be notified of the general grounds of the objection. The name and address of the objector will not be disclosed to the applicant unless the objector has consented to this

3 Determination of applications

When considering applications, the Council will have regard to:

- (a) the Local Government (Miscellaneous Provisions) Act 1982
- (b) any supporting regulations;
- (c) this Statement of Licensing Policy.

Proposed Sex Establishment Policy 2021

This does not, however, undermine the rights of any person to apply for a licence and have the application considered on its individual merits, nor does it override the right of any person to make objections on any application where they are permitted to do so under the Act.

All applications for new sex establishments and variations of existing licences will be determined by the Public Protection Sub-Committee irrespective of whether objections have been received. The Sub-Committee will also consider renewal applications where the Lancashire Constabulary have made comments or objections have been received. At the hearing the applicant and any objectors who made objections within the statutory period will be given the opportunity to address the Sub-Committee.

Uncontested applications for renewal will be determined by the Head of Licensing.

When determining an application the Council will take account of any comments made by the Police and any objections made. Each application will be considered on its own merits.

Where a hearing has taken place before the Public Protection Sub-Committee, unless otherwise advised, its decision will be given at the end of the hearing and the applicant and the objectors will receive written confirmation of the decision together with reasons within seven days

3.1 Refusal of Licences

The Local Government (Miscellaneous Provisions) Act 1982 provides mandatory and discretionary grounds for refusal of a licence.

3.1.1 Mandatory Grounds

A licence **must not** be granted to:

- a) A person under the age of 18;
- b) A person who has had a similar licence revoked within the previous 12 months;
- c) A person, other than a body corporate who is not resident in the United Kingdom, or was not so resident throughout the period of six months immediately preceding the date when the application was made;

Proposed Sex Establishment Policy 2021

- d) To a body corporate who is not incorporated in the United Kingdom;
- e) To a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

3.1.2 Discretionary Grounds

A licence may be refused on the following grounds:

- a) The applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason see paragraph 3.2;
- b) If the licence were to be granted, renewed or transferred the business to which it relates would be managed by, or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such licence if he made the application himself;
- c) That the number of sex establishments in the relevant locality at the time of the application is made is equal to or exceeds the number which the authority considers appropriate for that locality see paragraph 3.3;
- d) That the grant or renewal of the licence would be inappropriate having regard
 - o To the character of the relevant locality see paragraph 3.4; or
 - o To the use to which any premises in the vicinity are put; or
 - o To the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made

3.2 **Suitability of applicants.**

The Council will need to be satisfied that the applicants for a sex establishment licence are suitable to operate the business by ensuring:

- a) that the operator is honest

Proposed Sex Establishment Policy 2021

- b) That the operator is qualified by experience and/or knowledge to run the type of sex establishment and that the operator understands the general conditions and will comply with them
- c) That the operator is proposing a management structure which will deliver compliance with operating conditions, for example through managerial competence, presence, a credible management structure, enforcement of rules internally, a viable business plan and in the case of a sexual entertainment venue, policies for the welfare of performers
- d) If the application is for a sexual entertainment venue, that the operator can be relied upon to act in the best interests of the performers e.g. in how they are remunerated, the facilities provided, how they are protected and how and by whom their physical and psychological welfare is monitored
- e) That the applicant can be relied upon to protect the public e.g. transparent charging and freedom from solicitation
- f) That the operator can show either a track record of management of compliant premises, or that he/she has an understanding of the rules governing the type of licence applied for

All applications will be considered but they are unlikely to be granted if any of the following apply:

- a) The applicant has a criminal record. Offences that will be considered particularly relevant include convictions for:
 - Dishonesty
 - Violence
 - Sexual offences
 - Drugs
 - People trafficking
- b) The applicant has previously been involved in running an unlicensed sex establishment;

Proposed Sex Establishment Policy 2021

- c) If the licence were to be granted, the business to which it relates would be managed by or run for the benefit of a person other than the applicant who would be refused the grant of such a licence if they made it themselves

3.3 Number of Sex Establishments

The Local Authority may refuse an application if it is satisfied that the number of sex establishments of a particular kind in the relevant locality at the time the application is made, is equal to or exceeds the number which the authority considers is appropriate for that locality. The Council is able to determine that the appropriate number for a locality is nil. Blackpool Council has determined that in the Bloomfield, Claremont and Talbot Wards:

- The number of sex shops shall be **one**.
- The number of sex cinemas shall be nil.
- The number of sexual entertainment venues shall be **nil***.

In all other wards the number shall be nil for all categories of sex establishments

* Sexual Entertainment Venues with the benefit of a licence immediately before this policy comes into force will be granted 'grandfather rights' meaning applications to renew will not be refused on the ground that the policy for such venues is nil. Such licences may be transferred and varied. Where, however a licence has lapsed or been revoked, new applications will be subject to the new policy on numbers (although a Court's power on appeal is not restricted)

Proposed Sex Establishment Policy 2021

3.4 Location of licensed premises

In considering whether the grant or renewal of a licence would be inappropriate having regard to the character of the relevant locality or to the use of which any premises in the vicinity are put, the Licensing Authority will consider whether the grant of the application would be inappropriate having regard to its proximity to:

- Residential areas,
- Premises which are sensitive because they are frequented by children, young persons or families including, but not limited to educational establishments and leisure facilities such as parks, libraries or swimming pools.
- Shops used by or directed at families or children
- Premises sensitive for religious purposes for example, churches, mosques and temples.
- Places and/or buildings of historical/cultural interest and tourist attractions.
- The Promenade

3.5 Conditions

The Council recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premises.

The conditions that may be attached to a sex shop licence are shown in Appendix A and conditions that may be attached to a sexual entertainment venue are shown in Appendix B.

3.6 Duration of licence

Licences will be granted for one year unless a shorter period is specifically stated.

3.7 Revocation of licences

The Council may revoke a licence on any of the grounds contained within the Act which include (please note this list is not exhaustive):

- the licence holder no longer being fit and proper
- Poor operation of the premises

Proposed Sex Establishment Policy 2021

The Council will not revoke a licence without first giving the holder of the licence the opportunity of appearing and making representations before the Public Protection Sub Committee.

3.8 Appeals

There is a right of appeal against the refusal to grant, renew, vary or transfer a licence, the imposition of conditions on a licence and the revocation of a licence.

Appeals must be made to the Magistrates' Court within 21 days starting from the date the aggrieved party is notified of the decision.

It is important to note that appeals only lie against the mandatory refusals on the basis that the mandatory ground does not apply to the applicant/licence holder. Further no appeal lies against the Licensing Authority's decision made on the discretionary grounds namely:

- That it is inappropriate to grant or renew a licence on the grounds of the character of the locality or the number of premises in it; or
- The use of the premises in the vicinity or the layout, character or condition of the premises.

4. Complaints and Enforcement

4.1 Complaints

Where possible and appropriate the council will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.

4.2 Enforcement

The Council is responsible for the administration and enforcement of the licensing regime and will have regard to the Quality Standards Enforcement Concordat. The Council will carry out its regulatory functions in a fair, open and consistent manner.

Specifically, the Council is committed to:

- (a) be proportionate – to only intervene when necessary and remedies will be appropriate to the risk posed;

Proposed Sex Establishment Policy 2021

- (b) be accountable – to justify decisions, be subject to public scrutiny and allow opportunities to resolve differences before enforcement action is taken, unless immediate action is needed;
- (c) be consistent – to implement rules and standards fairly;
- (d) be transparent – to be open and to provide clear explanations of what is needed, by when and the rights of appeal.
- (e) target its regulatory action at cases in which action is needed.

The Council recognises the interests of both citizens and businesses and will work closely, with partners, to assist licence holders to comply with the law and the conditions attached to the licence.

However, proportionate but firm action will be taken against those who commit offences or consistently break the law or breach the conditions of the licence.

The Council has set clear standards of service and performance that the public and businesses can expect. In particular, an enforcement policy has been created that explains how the Council will undertake its role and how the principles of effective enforcement will be achieved.

This policy is freely available from the licensing section, as are details of the corporate complaints procedures, both of which can also be viewed on the Council's website: www.blackpoolcouncil.gov.uk

5. Cancellation of licences

The licence-holder may surrender the licence at any time and may request the Council in writing to cancel the licence.

In the event of the death of a licence-holder, the licence will be deemed to have been granted to his personal representatives and will remain in force for 3 months from the date of death, unless previously revoked.

Where the Council are satisfied that it is necessary for the purpose of winding up the estate of the deceased licence-holder, it may extend or further extend the period in which the licence remains in force.

Proposed Sex Establishment Policy 2021

Appendix A

Standard conditions for sex shops

Exhibition of licence

1. The licence or a clear copy shall be conspicuously exhibited at all times to the satisfaction of the Council in the premises, in such a position that it can be easily seen by all persons using the premises. The licence shall be adequately protected against theft, vandalism or defacement.

Times of opening

2. The premises shall not be open to the public before 9.00 am and shall not be kept open after 11.00 pm on any one day.
3. The premises shall not open on Christmas Day.

Conduct of premises

4. The licensee shall maintain good order in the premises
5. No person under the age of 18 shall be admitted to the premises or be employed in the business of the sex establishment
6. no poster, photograph, sketch or painting or any form of advertisement or display shall be displayed by or on behalf of the licensee on, outside, or within the premises in a position where it is visible to the public if the Council regards it as unsuitable for exhibition to the public. If the licensee is notified in writing that the Council objects under this rule to a poster, photograph, sketch, painting, advertisement or display such poster, photograph, sketch, painting, advertisement or display shall be removed or completely obscured from sight.
7. The whole of the exterior of the premises shall be of a material or covered by a material which will render the interior of the premises invisible to passers-by.

Change of use

8. No change of use of any portion of the premises from that approved by the Council shall be made until the Council's consent has been obtained thereto
9. No change of use of any portion of the premises from a sex cinema to a sex shop or from a sex shop to a sex cinema shall be effected without the consent of the Council
10. No part of the premises shall be used as a sex encounter establishment or be used in conjunction with any premises so used (whether licensed or not) without the consent of the Council

Proposed Sex Establishment Policy 2021

Goods available

11. All sex articles and other things displayed for sale, hire, exchange or loan within a sex shop shall be clearly marked to show to persons who are inside the sex shop the respective prices being charged.
12. All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase and a notice to this effect shall be displayed prominently within the sex establishment
13. No film or video work shall without the consent of the Council be exhibited, sold or supplied on or from the premises unless it has been passed by the British Board of Film Classification or such other authority performing a similar scrutinising function as may be notified to the licence holder by the Council and bears a certificate to that effect and is a reproduction authorised by the owner of the copyright of the film or video work so certified.

Proposed Sex Establishment Policy 2021

Appendix B

Standard conditions for sexual entertainment venues

External Appearance

1. There shall be no advertisement or promotional material used by the premises that is unsuitable to be viewed by children. Any exterior signage shall be discreet and shall not display any imagery that suggests or indicates relevant entertainment takes place at the premises. Any external displays or advertising may only be displayed with the prior approval of the Licensing Service, Blackpool Council.
2. Windows and openings to the licensed premises, other than entrances, shall not be obscured otherwise than with the consent of the Council but shall have suspended immediately behind them, plain light coloured screens or blinds of a type and design approved by the Council.
3. No illuminated signs or exterior lights shall be affixed to the licensed premises unless approved by the Council's Delegated Officer and shall be subject to ratification by the Council's Licensing Committee or Public Protection Sub Committee.
4. No advertisements or other notices or items shall be displayed so as to be visible from the exterior of the premises, subject to conditions 1 and 3.
5. The Council shall approve the design of the front elevation of the premises which shall include reference to the name of the premises, its postal address, opening hours, website address and any security grilles/shutters.
6. As a general rule the name of the premises shall be of an un-contentious nature and light colours used throughout to the Council's approval
7. The exterior and entrance to the licensed premises shall be suitably screened so as to prevent any part of the interior being visible from outside the shop.
8. There shall be a solid outer and inner door fitted with automatic closures with such devices being maintained in good working order.
9. On the external facing of the inner door, there shall be displayed a warning notice as supplied by the local authority.

Proposed Sex Establishment Policy 2021

Control of entry to the premises

10. No person under the age of 18 shall be on the licensed premises.
11. The Challenge 25 proof of age scheme shall be operated at the premises whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age. The only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport
12. The premises shall maintain a refusals log whereby on any occasion a person is refused entry details shall be recorded. The log must be made available on request by Lancashire Constabulary or an authorised officer of the Council.
13. The price for entrance and any compulsory purchases within the venue should be clearly displayed

Taking of payment for performances

14. All electronic/ card payments will be recorded in a consecutively numbered carbonated book and will include:
 - What the customer has paid for in as much detail as possible
 - All staff members involved in services/ transactions
 - The amount paid
 - The customer will be given the option to sign this record
 - The customer will be given a copy of this
 - These records will be clear and legible

This book will be made available to an authorised Officer on request

15. There will be sufficient measures in place to prevent dancers facilitating their own payment methods i.e. card terminals, internet banking.
16. Dancers will not be allowed mobile phones in any performance areas
17. All card terminals will be at a fix point. There will be CCTV coverage to show the individual making the transaction.
18. Members of staff/ dancers must not assist customers in using cash machines.

Performances of sexual entertainment

19. No person under the age of 18 shall be on licensed premises.
20. All areas within the premises shall display signs advising clients of the club rules and conditions of the licence regarding improper performances

Proposed Sex Establishment Policy 2021

21. There shall be no physical contact between performers and customers at any time, before, during or after the performance, with the exception of leading a customer by the hand to and from an area permitted for performances of sexual entertainment.
22. No performances shall include any sex act with any other performers, patrons, employees, contractors, or with the use of any objects.
23. Full nudity is not permitted. Performers and employees must at all times wear at least a G string or similar clothing covering the genitalia.
24. Customers must remain seated for the duration of the performance.
25. Any person connected with or employed by the business who can be observed from outside the premises must be fully dressed. Scantily clad individuals must not exhibit in the entrance way or in the area surrounding the premises. (Scantily clad means that there is partial nudity or underwear is visible)
26. No fastening or lock of any description shall be fitted upon any booth or cubicle or other area within the premises except within the toilets or within the performers dressing rooms and staff areas.
27. At all times during a performance, performers shall have unrestricted access to a dressing room.
28. Patrons or members of the audience shall not take photographs or record digital images of performers by any means.
29. Exit routes for performers must be kept clear.

Protection of performers

30. There shall be a written code of conduct for performers. All performers shall be required to certify their agreement to comply with the code and a record shall be kept on the premises and be made available upon request by the police or an authorised officer of the Council. The code shall include the following:
 - The licence conditions relating to performances of sexual entertainment.
 - House rules.
 - Internal disciplinary procedure and details of any financial penalties that may be imposed. This should include a system to ensure that performers suffering a genuine sickness or domestic emergency are not made subject to unfair punitive financial penalties.
 - Drugs monitoring.
 - No contact with customers outside the club.

Proposed Sex Establishment Policy 2021

- The arrangements for breaks and smoking facilities provided.
- Copies of approved forms of ID supplied by each performer i.e. passport, photo card driving licence or PASS card.

31. Performers shall be provided with secure and private changing facilities
32. Means to secure personal property shall be provided for the performers
33. Any exterior smoking area for use by performers shall be kept secure and separate to any public smoking area. If no smoking area is provided a maximum of 3 performers may be permitted to take a break at any one time.
34. The licence holder shall implement a written policy to ensure the safety of performers when leaving the premises following any period of work
35. All fees and charges for performers shall be stated in writing and prominently displayed in the changing area.

Management

36. All performers shall be required to provide valid photographic identification prior to first employment at the premises. Acceptable forms of identification are recognised photographic identification cards such as driving licence or passport. Records shall be kept detailing the identification produced and must be made available to an authorised officer on request
37. All performers and staff should be eligible to work in the UK and proof of eligibility records shall be kept on the premises.
38. All performers who engage in an evening of work at the premises shall sign a document to confirm the start and finish time of the shift. The document should be dated and contain the performer's true name as well as the stage name. These records shall be kept for a minimum period of six months and shall be produced on request by an authorised officer.
39. Employment records for performers and staff shall be kept for a minimum of six months following the cessation of their employment.
40. Accurate payment and remuneration records shall be maintained and shall be made available upon request to the Police or an authorised officer of the Council.
41. Where the licence holder is a body corporate or an unincorporated body any change of director, company secretary or other person responsible for in the management of the body is to be notified in writing to the council within fourteen days of such change and such written details as the council may require in respect of any new director secretary or manager are to be furnished within fourteen days of a request in writing from the council.

Proposed Sex Establishment Policy 2021

42. The name of the person who has been approved by the Council as being responsible for the day to day management of the licensed premises shall be prominently displayed within the licensed premises.
43. No person under the age of 18 shall be admitted to the licensed premises or employed by the licensee to work at the licensed premises.
44. The licensee shall ensure that no part of the licensed premises shall be used by prostitutes (male or female) for soliciting or for any immoral purposes.
45. Neither the licence holder nor any employee or other person shall seek to obtain custom for the licensed premises by means of personal solicitation, by means of flyers, handouts or any like thing, outside or in the vicinity of the licensed premises.

Exhibition of the licence

46. The copy of the licence and these conditions shall be displayed in accordance with paragraph 14(1) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in a conspicuous position at the premises for the customers to see.

CCTV

47. CCTV shall cover all public areas of the premises including all areas where performances of sexual entertainment are conducted. **The CCTV system should store recordings for a minimum of 21 days and images should be made available to the Police of authorised Council officers on request with a minimum of delay.**

Maintenance and Repair

48. The licence holder shall maintain the licensed premises in good order, repair and state of cleanliness at all times.
49. Should an authorised officer take issue with the condition of any parts of the premises internal or external, notice will be given in writing and must be rectified within a period of 28days from the date of the notice. Any appeal against such notice must be made in writing to the licensing service within 14days of issue. The appeal will be determined by the Public Protection Sub Committee.
50. The licence holder shall take appropriate measures to ensure that refuse from the premises are kept secure from public accessibility pending removal from site.
51. The licence holder shall comply with any fire prevention and safety measures that may be required by the Fire Authority or suitably competent local authority officer.

Proposed Sex Establishment Policy 2021

General

52. No part of the premises shall be let

Proposed Sex Establishment Policy 2021

Proposed Sex Establishment Policy 2021

Report to:	LICENSING COMMITTEE
Relevant Officer:	Tim Coglan, Service Manager Public Protection
Date of Meeting:	21 September 2021

LICENSING UPDATE

1.0 Purpose of the report:

1.1 To update the Committee on the details of licences applied for, dealt with and appealed in the period 01 January 2021 to 31 August 2021 and to update the Committee on recent licensing enforcement activities.

2.0 Recommendation(s):

2.1 To note the update on licences considered, dealt with and appealed and to note the update on licensing enforcement.

3.0 Reasons for recommendation(s):

3.1 One of the responsibilities of the Committee is to receive reports on the work of the Licensing Service.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 None.

5.0 Council priority:

5.1 The relevant Council priority is

- "The economy: Maximising growth and opportunity across Blackpool"

6.0 Background information

6.1 During the period 01 January to 31 August 2021, the Licensing Service received 42 applications for new Premises Licences. Of these applications, 29 were granted administratively as no objections were received and five are still in the representation period.

6.2 The following were granted administratively:

Mayfair Hotel – 19 Vance Road
Thirsty Alehouse – 277 Church Street
Restaurant Tizano – 65 Harrowside
Lee and Chris’s Belvedere – 77 Dickson Road
Salut Coffee House – 10 All Hallows Road
277 Devonshire Road
The Benson – 13 Wellington Road
COGS Café – 31 Lytham Road
Falklands Hotel – 86/88 Lord Street
Websters Bar and Grill – 123 Promenade
Belvere Hotel – 53 St Chad’s Road
Aldi – Holyoake Avenue
Le Feast – Blackpool North Railway Station
The Punch Club – 12 Edward Street
Ponderosa Guest House – 28 Palatine Road
Brens Barista – 27 Queen Street
Belleva – 23 St Chad’s Road
J and J Hotel - 64a Reads Avenue
Russ Brown’s House of Secrets – 105 Church Street
Blackpool Retro – 10 Birley Street
East 4 West – 48 Clifton Street
Sands Hotel - 485 Promenade
Blackpool Resort Coffee Shop – 1e Reads Avenue
Lyndene Hotel – 18 Cocker Street
Tea World – 6 Common Edge Road
Spyglass Bar – Palatine Buildings
Cask – 103 Red Bank Road
Glyndale Hotel – 9 Trafalgar Road
Upside Down – 28 Edward Street

6.3 The following applications were considered at a hearing:

JD Drinkwater - 75 Highfield Road – granted
Food Plus – 47/53 Abingdon Street – refused

6.4 The following applications were withdrawn:

Roots Street Food – 37 Lytham Road
Nova Supermarket - 156 Central Drive
Emily-Janes Café – 25/29 Abingdon Street
Nic’s Cocktail and Sports Bar – 73 Victoria Street

6.5 The following applications are to be considered at a hearing:

A-One Beer and Wine – 230 Church Street – hearing 23 September 2021.
Alexander Hotel - 29 Osborne Road – hearing date to be fixed.

6.6 The following applications are still within the representation period:

Lucelass Limited – 220 Red Bank Road – last date for representations 08 September 2021.

Sherbourne Convenience Store – 80 Sherbourne Road – last date for representations 13 September 2021.

North Ocean Hotel – 390/392 Promenade – last date for representations 13 September 2021.

Lateo Distillery – 527 Lytham Road – last date for representations 19 September 2021.

253 Fleetwood Road – last date for representations 16 September 2021.

6.7 During the same period, the Licensing Service also received three variation applications, 94 vary Designated Premises Supervisor applications and 55 transfers of Premises Licence.

6.8 The panel have considered one application to review a Premises Licence – the New President Hotel where the decision was to revoke the licence. This decision is subject to appeal by the licence holder and is listed for hearing on 24 November 2021.

6.9 The appeal against the decision of a Licensing Panel to vary the Premises Licences for the Lawton Hotel, Charnley Road and the Beechfield Hotel, Hornby Road has concluded with the appellants withdrawing their appeal.

6.10 The Committee will be provided with a brief verbal update on the work of the licensing enforcement team and allow questions from the Committee.

6.11 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.