

## SEV Policy Review Meeting – 17<sup>th</sup> July 2019

### Session 1 – Gloucestershire Police

- DM advised that staff from Gloucestershire Constabulary had been sent to London to see how they operate with regards to SEV's. He explained that the rules and regulations were very similar in London to that in Gloucestershire. They felt that Cheltenham officers, in particular, were extremely competent in enforcing and conducting visits on premises.
- They had not identified a correlation between SEV's and an increase in disorder and crime.
- With regards to the 2 Pigs, there had been 9 recorded offences in the last 3 years when they had been operating as an SEV. The police advised that you could expect a similar number of offences at other premises that were not SEV's.
- The recorded offences mainly related to theft, 2 related to sexual incidents, one of which was an anonymous call suggesting that performers were charging £250, however, the police attended immediately and saw that it was a malicious call. The other incident related to two individuals during the November race meet requesting a price for sex. Despite the fact it was a malicious call DM confirmed it still counted as an incident.
- The police confirmed that they were extremely happy with the conditions that Cheltenham imposed on SEV's and were satisfied that the licensing officers enforced them.
- They highlighted that Under the Prom and Moo Moo's also operated as an SEV under the statutory exemption they had no reported sexual incidents from the premises whilst they were operating as an SEV.
- The police explained that they try to ascertain where people who have been arrested were before the arrest and from previous experience; there was nothing to suggest they were in clubs operating SEV's. They explained that they do not have the resources to verify their claims, however, they would do so if it was a serious incident and there was evidential value in doing so. If this was the case, they would check the CCTV of every venue they had been to.
- They confirmed that there had been one alleged sexual assault during race week; however, this had no correlation to 2 pigs. The Licensing Team Leader confirmed that the assault related to 2 people who had met in the Bank House and the incident had happened at the person's residence.
- The Police highlighted that they would come straight to CBC and the licensing committee if they had any concerns. However, in their opinion, such licences didn't manifest in extra crime.
- They explained that they had never come across any performers who had been acting under duress. However, going forward this would be something they would look out for whilst doing routine inspections.
- There had been an incident whereby a performer had requested her money back and this had been resolved quickly by licensing officers and the police.
- The Licensing Team Leader confirmed that when doing inspections they are allowed access to the office and they check the girls ID and registration forms. They also have access to the CCTV and changing areas.

- The police confirmed that they were happy with the quality of the CCTV which was sufficiently adequate for any investigation.
- The Police acknowledged that prostitution did increase in Cheltenham during race week, however generally, this was not a big problem in Cheltenham when compared with Gloucester. Improvements in technology had also meant it was easier for prostitutes to make contact with clients. At the end of the races they had received complaints from guests in hotel rooms who had been robbed by prostitutes, however, they were not aware of any incidents of prostitutes propositioning people in the streets. The police advised that they had officers who specifically dealt with online prostitution.
- The police confirmed that they do visit hotels during race week to identify incidents of prostitution, however, agreed they could be more proactive and pick this up with hoteliers. There had been known cases of prostitutes operating in the Queens Hotel.
- One Member felt that they needed to focus on SEV's rather than prostitution and that linking the two was quite dangerous. They had been impressed by the set up at 2 Pigs and how open and transparent they had been, although were slightly concerned that they had to wait a while before they gained entry. They therefore questioned whether the police ever sent out undercover officers? The police confirmed that they did not send out undercover officers, however, Eroticats had suggested an officer be stationed for a whole evening at the venue. They also had the powers to force entry. The Licensing Team Leader highlighted that if they receive specific intelligence of concern then the Council may undertake a covert operation.
- One Member raised a concern about the size of the booths and the close proximity of the performers to clients. The Licensing Team Leader noted this point and agreed to do further research in this area.
- The police confirmed that door staff don't entice people in, although they do have promotional staff stationed across the town. They were unsure what Eroticats policy was on drawing in customers.
- The Licensing Team Leader explained that venues who operate under the statutory exemption have signed up to a voluntary code of practice which includes notifying police and the council when they intend to hold an event. They can therefore control them to some extent albeit informally.
- Members noted that there was inevitably a spike in crime rates during race week due to the increased number of people coming in to the town who were intoxicated and there was no evidence to suggest that SEV's contributed to the increase in crime.

### **Summary by Police**

- Cheltenham's conditions were adequate and officers were extremely competent in enforcing them.
- From the research there is no connection between SEV's and prostitution. Financially the performers earn a lot more in a much safer environment in the 2 Pigs rather than through prostitution.

## **Session 2 – Chelt Fems/GRASAC/ Cheltenham Minster**

### **GRASAC**

- There was a lot of written evidence to suggest that those working and living in town were harassed physically and verbally during racing week. She felt that the Council, in carrying out its functions, should have due regard to the objectives of the public sector equality duty. As acknowledged by some Members at the recent licensing meeting, the tone of Cheltenham changes during race week and one female Councillor had stated they do not come in to town during race week. She also cited the changes in the pubs which see a large influx of males compared with females. She felt that local authorities should provide equal access and that women were not welcome in town. She requested that the local authority evoked all SEV licences.

### **Chelt Fems**

- Felt that under the public sector equality duty, the local authority should permit zero SEV's. In her experience, women had been denied access to clubs with an SEV licence, lesbians had been told it was unsafe for them because they would be seen as prostitutes and women who would normally frequent at the 2 Pigs were denied access when there was sexual entertainment on. She felt that lap dancing was the cause of gender inequality in society and it sexualised and objectified women. Women in the town feel discriminated against and she felt that a petition in 2014 was ignored by the Council. She highlighted that times were changing and SEV's had dropped by a third, they therefore needed to show they were a progressive town and moving with the times. With regards to claims from the police that there were no increases in sexual incidents she stressed that women do not report rapes and in particular, reporting of low levels of sexual harassment were extremely low.

### **Chelt Fems**

- Also had concerns that the council was not fulfilling its public sector equality duty as people feel excluded from town during race week, she highlighted that this also has an impact on the day time economy. She was relieved that the Eroticats van had been rebranded as the image originally portrayed was inappropriate. She felt that as the money was made in the booths and the performer's income was dependent on tips there was an equality issue, similarly, excluding entry to lesbians was homophobic. Those operating the SEV's were breaching the terms and conditions of their licence as they were flyering on the streets, moreover, the fact that 2 Pigs was situated next to a church and by the entrance to a park meant it did not comply with the council's licensing policy. She felt that the statutory exemption was exploited in Cheltenham and not used for the purpose intended and the national legislation should be challenged. She reiterated that she did not have a moral objection but that the council had an equality duty.

### **The Church**

- The 3 main reasons they objected to SEV's was because of the effect on children, the location of the 2 Pigs and the discrimination against women.
- They felt that during race week the nature of the town changes completely. At St Matthews they have youth activity over the weekend and on a Friday evening,

however, during race week parents don't let their children walk to church as they ordinarily would.

- They also had concerns about the Erotocats van playing loud music.
- They noted that the grounds to the church were secluded and cut off from the main thoroughfare which promoted secretive activity in this area. They acknowledged that the Council sent somebody to clean the church yard on a Sunday morning at 10am, however, this didn't always happen. As a result, on several occasions, CD had cleared the church yard and found lots of broken glass, cigarettes, nitrous oxide canisters, syringes, discarded underwear and condoms.
- They felt that the operation of SEV's was discriminatory against women and that CBC had a statutory duty with regards to disability, race and gender. They felt that 2 Pigs, when operating as an SEV, sexualises and objectifies women. They had considerable concerns that the establishment was being used as a brothel during race week.
- Miss Phillips explained that they had been taking cakes in for the performers for several years, however, they had not been let in at first and advised that it was gentleman only. They had suspicions that it was a brothel because they had observed women wandering through and chatting to men who appeared to be advertising themselves to be taken upstairs and the bouncers had advised that they were unable to go upstairs. The fact it was free entry was also not normal for a strip club.
- The Chair advised that the licensing officers and committee had unfettered access to the club and they had no evidence to suggest prostitution. He highlighted that the reason they may not have been allowed upstairs was because a condition on the licence didn't allow members of the public upstairs.
- One Member noted that the change in tone of the town during race week was inevitable given the large influx of people, they reasoned that it was impossible to implement a policy to address this and felt that it wasn't just women who avoided the town during this time. They were concerned if women had been turned away from the clubs as this contravened the conditions in the policy. They questioned those giving evidence as to what more could be done to prevent assaults.
- MS advised that in the lead up to race week they did some joint work with the Council which included putting up posters in pubs and coffee shops encouraging people to report any incidents or suspicious activity. She explained that they had spoken with bar staff and a large majority said they had been assaulted in some fashion during race week including men. She explained that they had one incident of sexual assault reported to them and the police response was that this could be expected as it was race week. She explained that the low level assault often went unreported as victims felt they would not be listened to. The key was on more preventative work.
- One Member questioned how many cases of women being turned away had been reported to the Licensing Officer. The Licensing Team Leader confirmed that no incidence has been reported directly to them, however, given the evidence heard today they would need to speak to the venue to ensure they understood the policy. The Member reiterated that the current licensing policy prevents venues refusing women and so encouraged people to report it to the Licensing team.
- RC felt that the whole set up was highly intimidating to women and that used underwear, condoms and broken glass found in the church yard increased when

SEV's were in operation. One Member disagreed and felt that this could not be linked back to SEV's and was as a result of the large influx of people to the town during race week.

- One Member questioned what more could be done to increase the number of sexual assaults reported. They also highlighted that they were unable to change the law with regards to SEV's and that they had even lesser control under the statutory exemptions. They also questioned what more could be done to improve the wellbeing of performers.
- TB recommended that the booths be removed as was being trialled in some areas of Bristol and London. If they just had floor shows it would be more public and less chance of incidents. She also had concerns that more vulnerable women were coming in to the industry as the demand was increasing.
- RL noted that the recent marketing Cheltenham campaign whereby a woman was stripped to the waist did not portray the right image for Cheltenham. She felt that that they should be more concerned with reducing sexual assaults through prevention campaigns.
- MS advised that the rape and crisis centre appealed to many victims as they are an independent body and they are often frightened to report incidents to the police, whilst they support them if they wish to report it, many women choose not to.
- AP questioned why if men also felt intimidated during race week they did not make the town feel safer for both men and women. One Member felt that some people were more sensitive than others and that the main reason for the intimidation was because of the large number of people around the town not the SEV's.
- One Member highlighted that at present the Council has a SEV policy that allows them to put a vast number of conditions on premises that operate as an SEV and they have much less power to regulate venues under the statutory exemptions. With regards to temporary events notices, only the police could object on public safety grounds. The Licensing Team Leader reiterated that if they were to set a zero limit on SEV's there could still be the same number of SEV's due to the statutory exemption.
- RC questioned whether there would be the same number of SEV's as society was changing and felt that by setting a zero limit on SEV's they would give a better impression of Cheltenham.
- The Licensing Team Leader confirmed that the local authority had no control over statutory exemptions even if there were complaints and that the 2 Pigs had a licence from 8pm during race week.
- In response to a Member question, RC confirmed that whilst they do not have any services during the evening they do have a service at 11am on a Sunday morning and youth events in the evenings from 19:00 – 21:30.
- The Licensing Team Leader agreed to share the minutes from the meeting where the 2 Pigs were granted a licence with the church so that they could see the rationale for the committee's decision.
- TB highlighted that when Cheltenham had hosted burlesque shows and the Chippendales there had been a mixed audience and people felt far less intimidated.
- MS felt that a zero tolerance on SEV's would send a clear message about what Cheltenham stands for and agreed that the wider issues of TEN's needed to be dealt with.

- RC felt that there should be more research done in to what a zero policy might look like from towns that are working towards that.
- One Member advised that they been extremely impressed with the set up at the 2 Pigs when they had visited it during race week, particularly with regards to the security and the safety of the women and the checks carried out on the women to ensure they hadn't been coerced.
- The Licensing Team Leader confirmed that the public consultation on the SEV policy was likely to take place in the lead up to Christmas and the 2 Pigs licence was due for renewal in January.

### **Session 3 – Eroticats**

#### 2 Pigs Licence Holder

- Advised that their policy and procedures were based on advice received from CBC licensing department and they go beyond the standards imposed by the council. This included driving performers home or to their cars, providing them with hot and cold refreshments and a secure cloak room.
- They continually cooperate with the Licensing Team Leader and the police to resolve any issues and take action as appropriate.
- They have additional security staff on during race week.
- The performers register online beforehand, they are then contacted by one of the managers and are asked to provide additional information including proof of ID. They are subject to further background checks to ensure they are not the victim of human or sex trafficking.
- They keep a log to report any issues and fully comply with the equalities act.
- Eroticats felt that CBC's policies and approach were very strict but fully understood why such policies were in place and were more than willing to comply.
- The 2 Pigs were only open on a Friday and Saturday night and the bar staff were given the option to work during race week.
- The performer in attendance who worked for Eroticats and resided in Cheltenham felt that the 2 Pigs was a happy and safe environment, she felt that the security were fully equipped to deal with any issues. She explained that she had never experienced or witnessed any issues and that the security staff were right next to them when they were giving dances. They also had adequate changing facilities and a room to put their belongings which is manned by security.
- The 2 Pigs confirmed that they do allow ladies in to venue and they have a number of women and couples who have dances. They did, however, monitor the type of people coming in to the venue and do not allow entry to those looking for illegal business or those they anticipate causing trouble. He reiterated that they do not turn people away based on their gender.
- The performer advised that there are a number of dancers who are local to Cheltenham, Gloucester, Swindon and the West Midlands, she explained that the races is known as well-run event and so dancers do come from all over to work it. She explained that the club was extremely busy and so it was easy to walk away from any awkward situations or people she knew.

- The Licence Holder explained that they have their own procedures that go beyond the conditions imposed by the council and suggested such conditions be imposed on other establishments to ensure the welfare of dancers.
- They confirmed that the dancers can refuse to dance with anyone and a number of them have female and couple customers.
- In response to a Members question, Eroticats explained that all their dancers were self-employed and that they had a number of male performers on their books. He explained that they emailed all those on their database when they were advising them of the race week event and male performers had the opportunity to sign up. They had also put on 3 or 4 male strip shows in the past.
- On the database they keep a record of everyone who has ever worked for Eroticats including information regarding their conduct and behaviour, they also keep an incidence log and incidents are rated from severe to minor. They have had situations whereby they haven't invited people back.
- The performer confirmed that they had a house mother who was available if any of the girls had any issues.
- They advised that the booths can be made bigger or smaller as they are partitioned by a curtain.
- With regards to the Eroticats van they had agreed the music wouldn't be played past 11pm/12am.
- The Licencee advised that they had had incidents where feminists had attended, however, they had been politely asked to leave as a result of their behaviour towards the girls. They were also known to the door staff and so may have been turned away on occasions when it was anticipated that they would cause trouble. Members suggested that venue keep a log of incidents where the group caused trouble. They advised that they do keep a refusal log, however, those wouldn't be broken down in to groups i.e. feminists. The main reason for refusal was intoxication.
- In response to suggestions that the booths be removed, they explained that single booths made situations easier to manage. All the door staff patrolled the area and could see in to the booths at any one time. They had concerns that if the performers were all in one room customers may act up in front of their friends and security would have less control which would be potentially dangerous for the performers. The performer confirmed that she had more control one on one and wouldn't feel comfortable performing to a room if someone had paid for a service.
- It was confirmed that money for dances was taken at the desk and the performer is then given a token which is safer than them dealing directly with money. They don't generally get tips, however, if they do they declare them to the management. The manager advised they generally encourage them not to accept tips and to carry minimal money on them, if they have over £10 they need to declare it.

#### **Session 4 – Ward Cllrs**

- He had long been opposed to SEV's particularly with regards to Fantasy Club. His main concern was that the council had a policy on areas permitted for SEV's and Fantasy had been granted a licence despite the fact it was outside of the permitted area. He felt strongly that the policy with regards to permitted areas should be strictly adhered to.

- He felt that when premises did have licence the regulations were not adhered to and that rather than spreading the councils resources thinly they should just allow premises to operate under a TEN. In particular, he had serious concerns with the management of Fantasy with regards to health and safety and felt there was a lot of anecdotal evidence that girls were performing in order to pay off university fees. From what he had seen girls had been allowed on to the roof to smoke and did not have a chaperone at the end of the evening, they had also lied to the committee about the money they had spent on the venue. From his past experience, the policy hadn't been robust and he saw SEV's as a money making enterprise and the opportunity for cutting corners was rife.
- Members felt that in contrast, the 2 Pigs was extremely well run and managed and the safety of the girls was paramount and suggested Councillor Barnes visit with the licensing officers.
- Within his ward, Councillor Barnes explained that there were a lot of objections to SEV's on moral grounds.
- With regards to the fact that Fantasy was outside of the permitted area, some Members highlighted that the policy was guidance and not necessarily law and if the committee can find justifiable reasons for varying from policy then it can do so.
- The Licensing Officer advised that a venue must pass the health and safety regulations and that when Fantasy was in operation they had visited once or twice a night to check they were adhering to regulations.

### **Closing Comments**

- Reference to fax at 3.2 should be removed
- A discussion was had about 11.4 and sensitive locations, it was agreed that reference to specific sensitive locations should be removed and instead be a catch all.
- It was agreed that the reference to flyering in appendix 1 needed to be revisited as the council are unable to control flyering of venues operating under the exemption.
- The policy should specify how long the signing in register is kept for.
- Venues should have literature in the changing area regarding coercion and the work that GRASAC do.
- Move to challenge 25 rather than 21.
- A condition about door supervisors not touting for business.
- The permitted area for SEV's should be reviewed and brought back to the licensing committee. Some Members felt it should include the area down to the park on Bath Road.