

SEXA Objection Comments

1.

I continue to be shocked that Sexual Entertainment venues are being licensed in Cheltenham. Everyone involved in the decision making for this application with have undergone Equality, Inclusion and Diversity training so there is no excuse not to understand the protected characteristics and the statutory duty placed on the council. I believe that allowing venues which are specifically for men to pay in order to gain sexual stimulation from women is in breach of equality law.

Would the licence be granted if men were providing sexual stimulation for other men?

Would the licence be granted if people of colour were providing sexual stimulation for white people?

Would the licence be granted if people with a disability were providing sexual stimulation for able bodied people?

If not, then why is it only women who's protected characteristic can be exploited in this way?

6. Public Sector Equality Duty (PSED) (attached at ANNEX 5)

6.1 The PSED places a statutory duty on the council, in the exercise of its functions, to have due regard to the need to:

a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

This venue legitimises discrimination against women, portraying them as sexual objects. It encourages harassment in the context of the entertainment. No woman who does not need money will choose to work in this environment. Most will be young and many will be foreign. They are very vulnerable to exploitation in this kind of work.

b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

Where are the opportunities for the women? Do men and women both dance and observe in this venue or is it exclusively women dancing for men?

c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This definitely does not promote good relations between men and women but seeks to perpetuate misogyny.

6.2 Protected characteristics are:

a) age **This venue will mainly exploit younger women**

b) disability

c) gender reassignment

d) pregnancy and maternity

e) race

f) religion or belief

g) sex **This is primarily exploitation of women based on their sex.**

h) sexual orientation

Please consider why you are prepared to legitimise discrimination against women and ignore your statutory duty in this case.

2. Rt Hon Alex Chalk KC MP

I am writing to object to the above application. An SEV at this (or indeed any) location in Cheltenham would be wholly inappropriate, and I urge CBC to use its broad discretion to refuse it.

By way of context, the Policing and Crime Act 2009 reclassified lap dancing clubs as “sexual entertainment venues” [SEVs] and gave local authorities the power, if they adopted the legislation, to regulate such venues as sex establishments under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 [Schedule 3]. The change introduced by section 27 of the 2009 Act was in response to concerns that, under the Licensing Act 2003, local communities did not have sufficient powers to control where lap dancing clubs were established. According to the Home Office Guidance, the reclassification allows local authorities like CBC to refuse a licence application on wider grounds than under the 2003 Act and gives local people a greater say in the licensing process. Indeed, para 1.3 of the Guidance states as follows:

Section 27 gives local authorities more powers to control the number and location of lap dancing clubs and similar venues in their area...these provisions will allow local authorities to refuse an application on potentially wider grounds than is permitted under the 2003 Act and will give local people a greater say over the regulation of lap dancing clubs and similar venues in their area. As noted above, I would invite CBC to use those powers. I would further note that Philip Kolvin, Licensed premises: law, practice and policy (2nd ed), Bloomsbury, 2013, p668 states that the grounds for refusing a licence under Schedule 3 “confer a wide discretion and will not easily be shown to be unreasonable...”

On the specifics of this application, as has been noted in a previous application for this venue, it lies outside of the local authority’s Designated Permitted Area. The local authority policy is “that there is no locality outside of the Designated Permitted Area in which it would be appropriate to licence a SEV. Accordingly, the appropriate number of SEVs for outside of the Designated Permitted Area is nil”. This speaks for itself, and strongly militates in favour of refusal.

Under the Prom is situated amongst other non-related businesses, including estate agents, hairdressers, and restaurants. Having an SEV located near to these other businesses, especially with operational times to begin at 8pm, is wholly inappropriate. It is entirely feasible that families with children may be in the area at this time, and so should not be the case that they have to walk past an operating SEV.

I would be grateful if the above points could be taken into consideration.

3. No address provided comments not included. The address was requested on receipt of the comments and yet was not provided by 03/01/2024. It was made clear that names and addresses of persons making comments would not be put into the public domain, and that we needed names and addresses for audit purposes to demonstrate that comments are made in good faith. This is the case with all comments so marked below.

4.

I am writing to object to the granting of an SEV license to Under the Prom (23/01946/SEXA) for March 24 and Nov 24.

Sex work has no place in modern society. It is disrespectful to women, objectifying them. The women are frequently trafficked or vulnerable women who have no alternative. The women and girls of Cheltenham also suffer the consequences of men visiting the town just to visit venues like this. They feel less safe on their own streets.

Please refuse this licence.

5.

I am writing to object to this application for the renewal of a licence to operate a sexual entertainment venue at Under the Prom in Cheltenham. (Number 23/01946/SEXR)

Point 12.2 of the SEV policy statement adopted by Cheltenham Borough Council in 2020 states that the council voted to set a nil limit for SEV's outside of the designated permitted zone. As Under the Prom is outside of this zone, a decision to grant a licence goes against the democratic decision making of the council and a case for the refusal of this application exists.

Given that a licence has recently been granted for an SEV located within the permitted designated zone (Jessop House, Cambray Place) there is no rationale for the granting of this licence.

Furthermore, the SEV policy contains 40 standard conditions which the committee has the power to enforce or deviate from.

Having reviewed the plans for the venue in person, I have the following comments.

It appears that the relevant entertainment will take place in the basement of the venue in the main building and a temporary structure erected at the rear of the venue. There appear to be approximately 30 booths spread across the venue, with the bulk (c 20) located in the temporary structure.

Having viewed the plans on a screen it is not possible to understand the measurements for the booths within which performances will take place. This is required by section 2.5 of the policy.

Condition 18 states that there can be no physical contact between the performer and customer. If the measurements cannot be understood, then assurance that this licence conditions will be complied with is not possible.

Within the hand drawn plans for the temporary structure dated 6/12/2022 there is an area whose purpose does not appear to be identified on the plans. Looking at the plans (and the legend provided in picture 3) it appears that the area has performers and customers in very close proximity (see attached picture number 1). It would be prudent for the purpose of this area to be confirmed so that the committee can assure itself that the conditions within the SEV policy intended to safeguard performers are being met.

Picture 2 has an outline of booths; it is not clear how many booths are included within the area or indeed their size. Again, it would be prudent for this information to be provided.

Public Sector Equality Duty.

The Council and by extension the committee to have a duty, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the (Equality) Act.

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

PSED duty to eliminate harassment of women and girls.

On 1 February 2023 the CEO of GRASAC confirmed to the licensing committee that “there is evidence from women in race week, including those giving out fliers, that they are groped, grabbed, touched and threatened; a volunteer from Cheltenham Guardians has confirmed that they are extremely busy in race week, intervening many times to stop men from cornering women”.

PSED duty to foster good relations between men and women.

Strip clubs create a social environment that allows male privilege and domination over women and where women are objectified for the sexual arousal and pleasure of men. This increases the view, for some men, that they are entitled to seek access to women’s bodies whenever they wish regardless of whether the woman consents.

It is unrealistic to expect that (some) men who pay women to dance naked for their sexual gratification in one part of Cheltenham will not be influenced by this experience in other parts of Cheltenham and indeed in their interactions more widely with other women and girls in society.

PSED duty to women working in the SEV.

“Research shows that women who work in stripping are subject to high levels of abusive behaviour by customers: research in the U.S. (Holsopple, 1998) found that 100% of the women working in lap dancing who were surveyed reported that they had experienced physical violence from customers. All the women had been sexually abused in the club. All the women had been verbally harassed.” (Source Safe and Equal Bristol report: Sexual Entertainment Venues Policy Review (November 2021)).

PSED duty to women and girls in the vicinity and PSED duty to women and girls more widely in society

It is not sufficient to only consider women working in the SEV or in the vicinity of the SEV. The PSED requires the Committee to consider the impact on women and girls more widely in society. This was confirmed in the Bournemouth 2023 judicial review.

The evidence of the GRASAC CEO from February 2023 included above supports these PSED duties.

This is supported by extensive evidence that women’s “sense of security and entitlement to public space” are reduced when strip clubs are present. (Object UK). No go zones for women are in effect created. Again, this is arguably discrimination.

The following is an excerpt from the Safe and Equal Bristol report: Sexual Entertainment Venues Policy Review (November 2021)

“In the largest ever multinational study of male violence against women published in 2013 by the United Nations, the most common motivation of men who have admitted to rape is the belief that they are entitled to sex, even without the female partner’s consent. This study interviewed 10,000 men and 1 in 4 had raped their wife, their partner, or another woman. That is not an insignificant minority of men. Entitlement, which is the stock in trade of lap dancing clubs, is the main motivation

given by men who rape. 70-80 percent of men who had raped reported that they believed they had the right to sex. The second most frequently reported motivation was related to entertainment-seeking – interpreting forced sexual access to women’s bodies as fun or as something to alleviate boredom. The most commonly identified attitudinal risk factor for men’s sexual and domestic violence and coercion against women globally stems from gender inequality - a belief in the dominance of men, and their needs or wishes and bodies, over women”.

There is clear evidence at a local, national, and indeed international level that the presence of SEVs is harmful towards women whether they work within the SEV or are in the vicinity of it. Additionally, the reinforcement of male entitlement and objectification of women harms women in wider society.

Conclusion

From the discussions I have observed it is unclear how the Committee has considered its duty towards women and girls in society given the overwhelming evidence that men who believe they are entitled to access to women’s bodies are more likely to perpetrate sexual violence.

In 2020 the Council voted to set a nil limit for SEV’s outside of the designated permitted zone. As this venue is outside of the zone the committee should respect this decision and decline to grant this renewal application.

If the committee grants the licence, there is no compelling rationale or evidence that supports deviating from the standard licensing conditions within the council’s current SEV policy.

6. On behalf of the Nelson Trust

Dear Members of the Licensing Committee,

The Nelson Trust is writing to emphatically oppose the license renewal application of Under the Prom’s Sexual Entertainment Venue License for the March 2024 race week and November 2024 race meets submitted by Eroticats. The Nelson Trust objection to Sexual Entertainment Venues remains steadfast and is rooted in profound concerns over sex equality. The strong opposition echoed in the October 4, and November 18 Licensing Committee meetings by numerous groups, local residents and Alex Chalk, MP, only reinforces the community’s collective stance against the normalisation of SEVs. Our line of reasoning has not changed and as such we submit our previous objection below.

We believe that where Sexual Entertainment Venues (SEVs) operate there are always multiple harms that cannot be mitigated. Our objection to this application is based on years of frontline professional experience supporting women involved in the sex trade.

The Nelson Trust is a gender-responsive and trauma-informed organisation that works with women involved in the sex trade in Gloucestershire to help address their complex and multiple needs. There are strong links between lap dancing and selling sex, with a UK Home Office report finding that the majority of lap dancers also sell sex. The longer a woman has been stripping, the more likely it is she will be selling sex ([Prostitution_and_Sex_Work_Report.pdf](#)). Other research studies also indicate that alcohol and drug abuse is standard in the lap dancing industry, if not integral to the job ([The occupational milieu of the nude dancer: Deviant Behavior: Vol 18, No 2 \(tandfonline.com\)](#)), both by dancers and punters. This places women both in and outside of SEVs at even more risk of assault. Research also indicates considerable use of Class A drugs, initiated after entering the trade.

This published evidence supports our experience on the ground; most women we support have been through adverse childhood experiences, have been involved in domestic abuse relationships and often use drugs and alcohol as a coping mechanism. Women often are unable to realise the harms of the sex trade until they are out of it. One of the women we supported to exit wrote her story in her own words, and here is an extract of how someone might end up involved in the sex trade: 'I was forced into selling sex at the age of 17 and it then became a choice I made with an addict's insane mind that I could fund my habit selling my body. But what I didn't realise is that I was not just selling my body, but I was selling a part of my soul each time I did this. And chipping away at my self worth, my self-esteem and slowly but surely losing any empowerment as a woman I had or could have.' This woman's story is not uncommon, and it is a voice that does not often get heard, as many women do not have access to support to address their unmet needs and increase their life choices, including the opportunity to exit the sex trade.

The CBC's responsibility to foster good relationships between men and women, in accordance with their Public Sector Equality Duty seems to conflict with the granting of new and/or variation of licenses for SEVs.

After carefully considering the published evidence, the CBC's legal responsibilities, our professional experience, and the voices of women who have exited, The Nelson Trust vehemently opposes the granting of SEV licenses and/or variations to licenses as we believe they are incompatible with women's rights, safety & equality. CBC has an opportunity to show leadership and enforce their Public Sector Equality Duty by rejecting this licence renewal application.

We stand with GRASAC, Alex Chalk, MP, and many local people who are object to Sexual Entertainment Venues in our communities. We urge the committee to contribute actively to the council's pledge for women's safety and use its influence and the legal means available to it to close the frequency exemption permitted under UK law. This move would align with the community's aspiration for a safer, more equitable environment.

With kind regards,

The Nelson Trust

7. No address provided

8.

I write to object to Under the Prom's application to renew their Sexual Entertainment Venue license so they can host Eroticats lap dancers. (Ref 23/01946/SEXR).

The Eroticats website makes it clear that lap dancing means stripping. This is inherently harmful for the women involved and the public, especially young women.

Reports from Nordic Model Now and Not Buying It (Stripping the Illusion) describes the emotional, financial, and physical harm in detail.

Cheltenham council's own community impact assessment describes how it is women that are affected.

Of course, those making money from lap dancing will deny this impact, just as tobacco companies and smokers used to deny the impact of smoking.

The police will not object and they will say no incidents have been reported. The failure of the police and criminal justice system to tackle male violence against women and girls will not be addressed.

Lap dancing should be treated as a public protection issue, in the same way as smoking. No one is banning smoking but there are strict restrictions on advertising and sales.

Cheltenham councils' community impact statement claims their controls on advertising are enough to mitigate against harm. This is dangerously naive.

The company name and phone number on flyers, the bus and tabards are more than enough to get the message out there. A simple Google search will bring up the Eroticats website and leave people with no illusions about what lap dancing means.

The inclusion of the phone number means the company can gather personal details of potential customers which any businessperson will understand the value of.

Cheltenham is failing in its duty of care to especially its duty of care to young women on a low income with a history of abuse – those most likely to work as strippers. Calling it a “choice” dismisses the harm that this work does to women and makes it more difficult for them to recover.

It was heartening to see the restrictions placed on how banners are displayed at the last meeting. Please do more to reduce the harm caused by these licences. There have been numerous objections made over the years. It is clear that very few ordinary people want lap dancing provision to be a routine part of race events in Cheltenham.

9.

I write as an avid fan of National Hunt Racing. Please refuse this application under sec 11.2d of your Sexual Entertainment Venues Policy. Having thoroughly enjoyed my visits to Cheltenham in the past, both to attend the races and visiting the town, I'm dismayed that this form of male entertainment is thought appropriate in such a lovely part of the country. This industry, a cover for prostitution in many cases, encourages the attitudes prevalent among so many men that women are inferior beings to be ogled at and used as they see fit. As well as potentially endangering local and visiting women and girls, this "entertainment" takes trade from legitimate licensed premises.

In addition, there is a requirement to undertake an equalities assessment. Research suggests that these venues have a detrimental effect on crime and women's wellbeing.

References:

Hipp et al 2021

Patiniotis & Standing 2012

<https://dpglaw.co.uk/strip-club-licensing-curbed-after-court-rules-wider-harm-to-women-and-girls-could-not-be-ignored/>

Please see separate 3 PDFs - *Fact Sheet on Lap Dancing, Still-Stripping-the-illusion, and an article on the effects of lap dancing clubs*

10. On behalf of GlosWomen

Dear Licensing Team

Date: 24 December 2023

SEV Licence Application - 23/01946/SEXA

We are writing on behalf of our members to object to the application submitted by European Events Consultants Limited to allow for lap dancing at Under the Prom, 109-113 Promenade, Cheltenham to coincide with race meets at Cheltenham Racecourse during November and Cheltenham Festival Week in March.

We refer to our letters of objection dated 10 September 2023 and 10 November 2023 (copies of which are attached) which detail our concerns relating to the impact of SEVs on the lives of women and girls of Cheltenham (both women working in the sex trade and women and girls in the wider community). These issues should be considered as part of Cheltenham Borough Council's Public Sector Equality Duty, in deciding the outcome of this application.

Having attended and contributed to the licensing committee meetings for the preceding two sexual entertainment venue licence applications, we do not believe the licensing committee have adequately considered these issues.

Yours faithfully

Gloucestershire Women's Liberation Collective (GlosWomen)

About GlosWomen

GlosWomen is a women's liberation collective, bringing together women from all over the county of Gloucestershire, who share a vision of a world where women and girls can live free from male violence and all manifestations of misogyny. We aim to bring about change through activism, discussion and raising the voices of women and girls.

Please also see 2 previous objection (pdfs) letters: [GlosWomen objection to Nov SEV application & Letter of objection - SEV license variation Sep 23](#)

11.

Please register my objection to the latest application for sexual entertainment in Cheltenham. Ref 23/01946/SEXR

I believe that this application is for a venue outside the designated area. I oppose the objectification of women at any venue; however, it is concerning that this is in an area which has been deemed unsuitable for this kind of entertainment. I therefore hope that the application will be turned down.

12. On behalf of GRASAC

Licence 23/01277/SEXA

I wish to register GRASAC's objection to the renewal of the above licence in relation to *Under the Prom* as a sexual entertainment venue. I am in no doubt that this licence will be granted by the Cheltenham Borough Council, as there is no variation other than the dates moving forward, and recent, new applications for other venues have been approved.

Sexual violence is a serious and widespread issue and disproportionately targeted at women and girls. Nationally, 97% of women aged 18-24 have experienced some form of harassment in public spaces¹. This is also a local issue recognised by Gloucestershire's Police and Crime Commissioner (Chris Nelson) who recognises that women and girls often feel unsafe in their communities, feeling the need to make decisions about their movements and day-to-day activities based on their desire to increase their personal safety, hence his stated commitment to 'tackling all forms of violence and intimidation that women experience, whether it's catcalling, harassment, rape or domestic abuse' [Glos PCC]

The objection to these licences being granted is not so much in relation to any harm potentially caused to the women working in the venue(s), but the growing evidence that SEVs impact on all women, through increased harassment and fear of violence in the vicinity of the clubs. Research in London boroughs reported an increase in reported rapes in the vicinity of such clubs. Women elsewhere in the UK reported areas around lap dancing bars becoming no-go areas for women for fear of harassment, anti-social behaviour or targeted violence by male customers of SEVs.²

Additional research reports the extent to which women increasingly experience sexual violence and harassment on a day to day basis: granting licenses to sexual entertainment venues is unjustifiable, and contravenes local authorities' duties under the Equality Act 2010³.