



Inappropriate Behaviour: Adult venues and licensing in London

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The Lilith Project 2007

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Introduction

There is an unbroken spectrum of violence that women face at the hands of people who exert control over them. States have the obligation to prevent, protect against, and punish violence against women whether perpetrated by private or public actors.

States have a responsibility to uphold standards of due diligence and take steps to fulfil their responsibility to protect individuals from human rights abuses.

(Amnesty, 2006)

Women experience some form of violence every day of their lives, from sexual assault and casual sexual harassment on the street, to violence at the hands of a partner or colleague, coercion and outdated gender stereotypes at work.

Historically, policymakers believe that solutions to this culture of inequality and gender violence can be found by treating these issues separately, and money has been put into initiatives to try and tackle domestic violence, educate children about healthy relationships and improve rape conviction rates.

However, this inability to perceive incidents of violence against women as being linked points on a continuous spectrum of violence is damaging women's lives. Wherever lapdance and strip clubs appear, women's quality of life deteriorates as a result, with increased reports of rape (Eden, 2003) and increased fear of travelling as a result. (TfL, 2004)

Women in public areas become unwilling symbols of the illusion of sexual availability and are often the physical recipients of male harassment or even rape. In the meantime young boys growing up in the area are taught that this is an acceptable way to treat women, and young women learn that this is the way they will be treated.

In 2003 the BBC, once a byword for conservatism, launched an online guide into becoming a table dancer (h2g2, 2003) and Tesco was caught in 2006 selling pole dancing kits as children's toys. While lapdancing and the illusion of sexual availability become mainstreamed, rape conviction rates are falling, street harassment and casual attacks are rising and 26% of people believe that an inappropriately dressed woman is 'asking for it'. (Amnesty/ICM, 2005)

The problem becomes less an issue of affronted morality and more an issue of women's human rights to live and work without fear or degradation. A dancer in a lapdance club who is sacked for 'inappropriate behaviour' when adhering to a club policy on offering 'extras', a female banker who is pressured into joining a 'boy's night out' at a lap dancing club, the woman who is harassed outside the club at closing time and the woman who is raped in the street or by her partner upon his return from a strip club are all victims of gender violence.

The Lilith Project has produced this report to re-establish the links between acts of violence against women, and to show how the current policy of normalising lapdancing and striptease develops the illusion of sexual availability, actively damages women and reinforces gender inequality.

The Lilith Project position on the lapdancing and striptease culture

The Lilith Project is a second tier voluntary sector project that works towards ending violence against women in London. In 2003 Lilith published a small-scale report on lapdancing in Camden, Westminster and Islington. The report highlighted the extensive impact that lapdance and striptease clubs had upon women in the local area, in terms of immediate dangers such as a 50% increase in reported rape, but also in terms of less measurable effects, such as increased harassment and fear of violence.

The overwhelming support that the 2003 report received from campaigners and women's sector agencies convinced the project that the subject of lapdancing as a part of the sexual violence spectrum needed to be revisited in more detail.

The Lilith Project works within a feminist framework, and takes the position that lapdancing clubs are part of the sex industry, that the clubs promote the illusion of sexual availability and sexualised images of women, and that this actively damages women and girls living and working around lapdancing clubs.

Terms of reference

Within the report the term 'lapdance club' is used to denote establishments holding a premises licence and making the majority of their income from events of an adult nature featuring women. This is sometimes referred to as lapdance, table dance, stripping or striptease. In certain cases (lap and table dance), the proximity of the dancer to the watcher is less than 3 feet, whilst in others (stripping and striptease) the dancer may be on a stage or separate area.

The term 'adult venue' or 'venue offering adult entertainment involving nudity' are also used in the report to denote lapdance or striptease venues, and is taken from the terminology used in the Licensing Act 2003. Where the terms 'sex establishment' or 'sex encounter establishment' are used, these do not refer automatically to lapdance clubs, but describe any licensed venue which is required by its Licensing Authority to purchase a Sex Establishment or Sex Encounter licence in addition to its premises licence.

The Lilith Project also recognises that over the past three years there has been an increase in unlicensed 'private parties' featuring lapdancing. However, these events are not registered with the local Licensing Authority and for the purposes of this report are excluded. All clubs surveyed within the report are licensed.

Methodology

This report examines how lapdancing in London has grown and changed, each borough's strategic response to the Licensing Act 2003; the impact of the Act on women in London, and how to object to licence applications.

The report is based upon primary data collated from telephone interviews with each Licensing Authority, licence applications and Crime and Disorder Reduction Policies drawn from each borough. Other data was collated through online

directories of clubs and lapdancing events. To preserve the ethical integrity of the report, any queries conducted and data resulting from telephone interviews and personal correspondence is presented anonymously.

Secondary data was collected using Internet-based information searching methods, via newspaper reports, previous research and Lexis Nexis (an internet-based database of press articles). Full references are available in the References section at the end of the report.

The growth of lapdance in London 2003-2006

What we have now is ...'pimp and ho chic' with all aspects of the sex industry presented as hip and cool... Pole dancing as exercise, lapdancing clubs as places to see celebrities.

(The Independent, 2006)

In the four years since the Lilith Project first examined the issue of lapdancing in London, the debate on lapdancing has become a staple of the mainstream media. In the current climate of Playboy pencil-cases for 11 year-olds, 'pimp chic' and celebrities falling over each other to endorse pole dancing as the newest night out, the sex industry is still big business.

Even the Women's Institute is in on the act, with the East Riding chapter hoping to tempt younger members with pole dancing lessons (*BBCi*, 2006), Tesco marketing a 'pole-dance at home' kit complete with toy money, and the Job Centre advertising lap dancing vacancies (Howie, 2006).

According to lapdance fans, there are now approximately 58-70 clubs in London, and many more 'speciality' nights, private parties, members clubs and limo 'executive' services (*UK Strip Clubs*, 2005). According to London Licensing Authorities, the number of reported licensed lapdance clubs in London stands at just 49.

More accurate numbers are virtually impossible to gather, as not all clubs hold appropriate licences and are fluid, moving to different venues, or registering several clubs at the same venue. As these clubs are essentially unregulated, this is an increasing concern to organisations who monitor gender inequalities.

Are Rhinos soon to be extinct?

Ironically, the more lapdancing pervades mainstream culture, the lower 'celebrity' club profits have fallen. From the high profits reported in 2003 and 2004 with some club owners making in excess of £35 million each, (*Sunday Mail*, 2004), Spearmint Rhino's 'flagship' venue on Tottenham Court Road in London saw profits decrease by 34% over 2004, and was forced to lay off staff after closing its Uxbridge branch. Pre-tax profits at Stringfellows plunged to £140,000 for the first time ever in the same period (William Reed, 2004). Raymond's Revue Bar may well go out of business after Paul Raymond sold the lease to a new owner and then increased the rent of the site by 120%. (*Independent*, 2004)

Part of the problem for the clubs is an increasing normalisation of pole-dancing and 'burlesque', which is leading to saturation of the market, coupled with a greater public perception of the less glossy side of lapdancing. Thanks to anti-trafficking organisations, more people are aware of sexual exploitation and coercion than ever before. Recent investigations into sexual exploitation in lapdancing clubs found that between 50-80% of the women working in the clubs were of Eastern European origin and many were unable to provide documentation. (Interviews, 2006)

"Whoring is commonplace...On a good night at Spearmint Rhino you can see 80 per cent of the market."

- Xavier Alcan, (Cantor Fitzgerald) *Telegraph* 15/01/06

Added to this, the clubs are victims of their own notoriety. Spearmint Rhino's Tottenham Court Road branch is a case in point. City workers who were once courted by the club (in 2000-1 the *Telegraph* reported Coca-Cola, Merrill Lynch, Tatler and a well-known High Street bank as clients at Spearmint Rhino) are now staying away from Spearmint Rhino because it is seen as too risky to visit, thanks to a slew of newspaper allegations (*Evening Standard*, 2004).

The implied threat of unwanted media attention has succeeded in significantly denting this particular Rhino's profits.

"Prostitution is rife. All the clubs have strict no-touching rules, but they can't stop the girls from saying: 'Hey, I knock off at two, how about I see you back at my place then?'

Guys I know who would never dream of picking up a hooker on the street seem somehow to think it's fine because he's met this girl in a bar, even if she was wearing no clothes and asking for money.'

-Trader, quoted in *The Daily Telegraph* 15/01/06

However, clubs outside of Central London have seen their profits stay reasonably stable, suggesting that while men are still going to clubs offering adult nude entertainment, they are more aware of the negative connotations associated with lapdancing and stay away from the more controversial or high profile clubs.

'I know brokers whose clients ask to fix them up with one of the girls, so they cash £800 or whatever she costs on the company credit card at the bar, slip the money to the girl and it appears on the bill as 'drinks'. As far as they're concerned it's just another form of broking [sic].'

(ibid, *The Daily Telegraph*, 2006)

The new anxiety over visiting lapdancing clubs has carried over to the licensing boards. Westminster, which includes lapdancing and striptease as a key part of its late night economy strategy, uses Peter Stringfellow's Angels club as a model

of good practice, citing it as an example of a clean and attractive club with little trouble, in contrast with smaller, less well-off clubs. As far as the Licensing Authorities are concerned, the emphasis is now upon the clubs to exercise discretion and emphasise their appeal to a professional clientele with plenty of disposable income instead of stag nights and sleaze. As long as a club can present a professional front, there is less concern over dancers' safety or the effects on the local population. The clubs are reacting by highlighting their links with local communities, and in the case of Secrets in Hammersmith, offering a complaints service for local residents to burnish its image as a respectable business and key contributor to London's late night economy.

The Department for Culture, Media and Sport and null policies

Although several London boroughs, notably Enfield and Corporation of London, have null policies towards lapdancing,¹ all boroughs are now obliged to follow the new Licensing Act 2003 on accepting new lapdance applications, provided that they do not contravene rules on public order, public safety, protecting children from harm, or creating a public nuisance.

The Department for Culture, Media and Sport does not differentiate between lapdancing venues and other forms of entertainment, despite evidential links between the proliferation of adult venues and the sex industry. (Bindel, 2004) The DCMS's stance appears to welcome the sexualisation of women as an acceptable form of commerce. It is likely that all licensing authorities must eventually comply with the DCMS, in spite of their personal views or the concerns of their communities, which has deeply disappointed campaigners against the objectification and degradation of women.

¹ A null policy means that the borough Licensing Authority will not allow any club applications within the borough.

The Licensing Act 2003: Changing the landscape

Any premises in Greater London, and the United Kingdom as a whole, that offers entertainment for the public, and advertises or charges for such entertainment, is required to possess a Public Entertainment Licence, or PEL. Any premises that is subject to a PEL is exempt by law from the requirement to register as a 'Sex Encounter Establishment' in order to offer striptease or nude entertainment.

As a result most London Authorities impose a standard condition on PELs that any establishment wishing to apply for a PEL or Music and Dancing licence with the intention to show striptease, lap and table dancing or sex entertainment must apply expressly for a waiver (known as 'special nudity permission') from the Council in question.

(Eden, 2003)

The Licensing Act 2003 officially came into force on 7th February 2005. All premises wishing to apply to or continue supplying any form of entertainment, and/or serving alcohol, were compelled to reapply to their local authority before this date.

The Licensing Act 2003 replaced all previous legislation, including the London Government Act 1963 and local authority Public Entertainment Licences (PELs) that had previously governed the licensing and management of strip clubs and lapdancing venues across England and Wales. Under the previous legislation, individual councils had powers to set their own rules and restrictions upon clubs wishing to set up in the area. Some local authorities used this power to the fullest, effectively operating a 'null' policy towards the clubs.

Equally, clubs could play one authority off against another, by threatening to relocate to another county or borough unless the council bowed to their wishes. In 2002 Peter Stringfellow's Cabaret of Angels club threatened to relocate from Westminster to Camden to take advantage of their relaxed clothing restrictions, and potentially depriving Westminster of a large amount of income in licensing and in associated trade from Stringfellow's visitors.

As a result of Stringfellow's action Westminster was forced to adopt a 'total nude' stance in line with Camden's 'knickers off' policy. This capitulation had far-reaching effects, prompting other boroughs, including Brent and Hillingdon, to adopt or maintain a 'total nudity' rule to avoid similar problems, and resulting in an overall acceptance of full nude dancing in London.

Under the new law, each Licensing Authority is required to determine its licensing policy and publish a statement of that policy (known as a licensing statement) every three years. The policy must be kept under review during this time. (HMSO, 2005)

This consultation process does offer 'interested' parties (which can include women's rights organisations and service providers if they live in the relevant postcode) the opportunity to shape licensing policy over time.

Premises Licenses under the new Act

All establishments wishing to hold activities that require licensing were required to apply for a Premises Licence before November 2005, regardless of whether they had been previously licensed or not. Before the Licensing Act 2003 came into force a venue needed two PELs; one with a Special Nudity Permission to hold lapdancing or strip events, and a second (usually more expensive) licence to serve alcohol. Some strip venues opted to forgo the alcohol licence, resulting in the 'near beer' strip clubs that populated Soho in the 70s and 80s, which offered nudity but no alcohol.

Prior to the new law, campaigners had some success challenging the 'strip clauses' in licences, or the Public Entertainment Licence itself. Many clubs were obliged to adhere to the Local Authorities (Miscellaneous) Act 1982, which covered striptease in its Additional Conditions and expressly forbade the display of 'reproductive or excretory organs' in a venue that was not a Sex Encounter Establishment. (HMSO, 1982)

Other campaigners cited the increased risks to women's safety in the areas around clubs. The Lilith Project's earlier report (2003) was used by several campaigners to successfully oppose new applications in Romford and Manchester on the grounds of concern of increasing violence against women in the vicinity of the clubs. Campaigners could also oppose the clubs at each renewal hearing (held every one to three years).

Under the new Act, all licensable events and activities are now covered under the Premises Licence. Any applications granted under the new licences are not subject to renewal every three years (as was previously the case for liquor licences) and so do not have a limited validity period (as was the case for PELs).

This represents a blow for local residents and VAW campaigners, as strong opposing campaigns can no longer be lodged at yearly review meetings. New licences post-2003 can be valid for up to 10 years, or the life of the premises if no significant changes are made to management, provided that they do not violate any of the DCMS licensing objectives or their own operating schedules. This makes presenting opposition at reviews more difficult, particularly if a local authority is unwilling to challenge a club.

When the Lilith Project approached licensing authorities, it became clear that the clubs had more freedom under the new Licensing Act. In previous years, clubs were often required to comply with a raft of restrictions, which were decided on a borough by borough basis by local authorities. Examples of restrictions imposed

included mandatory inspections, covert observation, extra fees and designation as Sex Establishments. Under the new Act, clubs must comply with minimal restrictions, by explaining how they will protect children from adult entertainment involving nudity.

Clubs also have access to 'Grandfather Rights', which allows premises that have been licensed for a long period of time to easily gain new licences, providing they do not try to alter restrictions already placed upon them. Several unlicensed Soho strip clubs have also made use of 'Grandfather Rights' to acquire licences, citing their long standing in the area and contributions to the 'unique atmosphere' of central Westminster. (DCMS, 2005a)

Making objections

Hearings on an application will only occur where representations from 'interested parties' (residents, businesses) or 'responsible authorities' (the Police, child protection services) are made. Where no relevant representations are made by either of these parties the Licensing Authority must grant the licence application subject only to the mandatory conditions and such other conditions as are consistent with the operating schedule (DCMS, 2005b).

According to the guidelines laid down by The Department for Culture, Media and Sport, representations objecting to licence applications must relate to one or more of the four licensing objectives set under the Act:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm (DMCS, 2005c)

No opposition can be made outside of these objectives (which apply to all Premises Licences), Objections are also restricted to people living and working within 100m of the proposed development, or groups representing these

interests. This makes campaigning or opposing with a VAW agenda immensely problematic, despite the fact that women living outside of the area of objection still have to work, travel and use the amenities near the proposed club. Research has shown that clubs offering adult entertainment involving nudity impact upon women in a negative way, usually marking an increase in sexual violence and harassment, increased crime, decreased personal safety for women and decreased property prices. (Eden, 2003) Allowing adult entertainment clubs also acts as a gateway for the introduction of the sex industry into the area.

Women who spend a lot of time around the area of a proposed club (for example a student who commutes near a lap dance club, or a parent taking children to school) have no recourse to complain under the new Licensing Policy if they are not residents, but they may still experience the negative impact of the licence in increased harassment and sexual commentary, and even increased risk of sexual assaults.

Under the new legislation, licensees are only required to declare that they will offer entertainment of an adult nature and justify how they would protect children from harm. This 'protection' typically involves refraining from posting 'adult' images outside the venue, blacking the windows and imposing an over 18s policy. Unfortunately for women in the area, protecting children from harm does not extend to removing suggestive advertisements on trucks and billboards, or preventing strip club punters from harassing female passers-by.

Essentially, councils can no longer discourage or bar applications for lapdancing or strip venues. Complaints that are 'frivolous, vexatious or repetitious' are not acted upon (Greenwich Council, 2005). As frivolous complaints are considered to encompass any complaint such as whether lapdancing clubs increase violence against women in the local area, there is a valid concern that the findings of local support providers and research organisations highlighting the links between clubs and increased violence will not be considered in licensing application

procedure. In addition, under the new Licensing Act, any experts consulted by residents opposing a club are forbidden from speaking in the opposition hearing.

In the 2005 study *Making the Grade*, the Dept of Culture, Media and Sport was severely criticised for taking a gender-neutral stance to licensing, and refusing to acknowledge research showing that relaxed licensing does not improve safety for women either inside or outside the clubs. The 2003 Lilith Report underlined the need to reclassify lapdance clubs as sex establishments and impose tighter licensing restrictions, following newspaper allegations of underage dancers, prostitution and drug-taking in one Camden club.

The DCMS's policy of restricting objections and extending licence periods to 10 years shows an attitude towards violence against women that is at odds with the Government's promise to put violence against women at the top of the agenda. This attitude is now phasing down to some Licensing Authorities, who are including venues offering adult entertainment involving nudity in their strategies for a successful night-time economy.

Counting clubs: how the Licensing Act affected club distribution in London

When the Lilith Project published its first report on lapdancing in 2003, there were approximately 70 clubs operating in London. (*UK Strip Clubs*, 2003)

There is always some confusion both on lapdance advertisement sites and in licensing offices, about what constitutes a club, as some 'strip pubs' may include a strip event each Sunday, but make the majority of their income from mainstream consumers. For the purposes of this study these venues have been omitted, taking the total number of licensed clubs in 2003 to 61. (See Appendix 1) For this reason venues such as Caesar's (Streatham) and the Richmond Arms (Richmond) are excluded, as are any club nights that occasionally offer nude or semi-nude entertainment.

After the implementation of the Licensing Act 2003, the number of clubs reported by Licensing Authorities in London dropped to 49 clubs spread over 14 boroughs. This reduction is for the most part due to the way that Licensing Authorities interpreted the Act. In line with the Licensing Act's increased generalisation of Premises Licences, some boroughs no longer track applications to open or convert lapdancing clubs.

20% of Licensing Authorities admitted that they were unsure of how many clubs were currently licensed in their boroughs, and half of these were unable to give an estimate of clubs. (Interviews, 2006) One borough admitted to 'losing' several clubs, despite the licensees (who had applied for their PELs before 2003) remaining in the same place. Essentially the Licensing Team re-issued the clubs with Premises licences, but took its lead from the Department of Culture, Media and Sport and classed the venues as being like every other club holding a Premises licence. It now cannot say how many lap-dancing clubs it licenses or where they are, nor does it monitor complaints of nuisance, violence or harassment by local residents in relation to the clubs.

Dancing in the streets: the role of Licensing Authorities and borough Licensing Policy

...the area around the University Street and Tottenham Court [Road] has now denigrated into a 'no go' area for female shoppers and male passers-by who are often accosted by pimps and other strip clubs offering sexual services and favours....

- Police report on Spearmint Rhino, (*Director's Report*, 2002)

The Licensing Act 2003 introduced fundamental changes into the relationship between Licensing Authorities and the clubs under their jurisdiction.² Before the introduction of the Act, local policy was decided by each borough, with some reference to the London Government Act 1963 which required clubs to apply for Special Nudity Permissions. To this end, approximately 54% of London boroughs licensed no lapdance clubs, with four boroughs being vociferously anti-lapdance clubs. After the Act came into force in February 2005, this stance was no longer an option, as many Licensing Authorities interpreted the DCMS licensing objectives as removing their right to refuse lapdance clubs on any grounds other than as a public nuisance, safety concerns, prevention of crime and disorder, or protecting children from harm. If the licence promotes these objectives and no objection is made, the Licensing Authority is legally bound to grant the licence.

In the clubs

Under the Licensing Act 2003, local Authorities may not be aware of a club in the borough, and cannot act outside of calling the Police if misconduct is reported. The Authority can step in if the misconduct directly contravenes a licence

² In the majority of cases, and certainly inside London, the Licensing Authority is the local borough Council. In other areas in the UK, Councils may share Licensing Authorities, though they are usually attached to Council panels.

operating schedule or one of the DCMS licensing objectives. Clubs that disregard the human rights of their workers can no longer be annually threatened with closure upon their re-application for licences, as the licence period has increased from one year to 10. A licensee can only have his licence revoked if he violates his operating schedule (which may not have any restrictions upon lapdance listed) or by contravening one of the DCMS licensing objectives, which do not include women's safety as a high priority.

For women working in the clubs, this new legislation is potentially very damaging. For the first time, boroughs are unable to legitimately track applications for new clubs in their licensing stage, as the DCMS schedules do not differentiate between a premises licence for a lapdance club, a folk club, or a cabaret club. During the process of researching this report, each Licensing Authority was contacted and questioned on the number of clubs licensed in its borough. 20% did not know for sure how many clubs were licensed. Half of the authorities were unhappy that the new Act had removed the Council's power to act in the licence application of these clubs.

So how does this affect women in the clubs? Licensing Authorities can no longer impose restrictions upon new applicants on distances between dancers and the men who are in the clubs. The dancers have very little official room in which to complain and Licensing Authorities cannot even flag up clubs in planning stages, as licence applicants need only declare if they will be showing entertainment of an adult nature, and how they will protect children up to the age of 18 from this. Although child safety is a priority for the Licensing Act 2003, the rights of women in lapdancing clubs to be free from violence, harassment or abuse is not.

Anti-trafficking and prostitution organisations highlighted as early as 2003 that lapdancing clubs are used by traffickers to 'hide' women trafficked into prostitution, or bribe them for good behaviour.

Her pimp would tell her that if she was less 'difficult', he would take her to a lapdancing club in Haringey instead. He still expected her to sell sex in the lapdancing club... she believes that there was no doubt that the owner of the club was fully aware that prostitution was taking place in his premises.

-Testimony of 'A' (Dickson, 2004)

Even in clubs where trafficking or sexual exploitation does not occur, bosses may call in extra women to work, so that each dancer has to compete with other dancers to offer more explicit services to clients in order to earn enough to pay back her night's 'rent' to the club. This indirect coercion tactic was brought to public attention in 2003 by a former management employee who was threatened by the management of an Uxbridge club when he went public. (*Sunday Mirror*, 2003)

Many dancers in London clubs are self-employed or agency staff. Very few dancers are unionised or have a long term contract with clubs, often being employed by agencies, who will offer them as temporary employees. Theoretically, this means that if a dancer is poorly treated at one club, she can then elect to end her relationship with the club. In reality, the club has the power, dismissing any women who are caught offering sexual services or any acts that contravene licence rules, even if the dancer is following club policy (Bindel, 2004). Now clubs are offering women even less protection than they were afforded in recent years, with little opposition from the Licensing Authorities.

On the streets: the impact of clubs on their local areas

The lapdancing venue...would compromise the safety of women and children across London.

- Ken Livingstone, Mayor of London (*Evening Standard*, 2006)

Although studies have linked increases in sexual assaults and harassment to the proximity of lapdance clubs, many Local Authorities have been slow to react. This has left local residents and women working or socialising near clubs vulnerable to increased risk of harm. The DCMS's refusal to explicitly link lapdance clubs and harm against women, despite evidence to the contrary (Bindel, 2004) has only exacerbated the situation.

Previous research has suggested that once a club opens in an area, reports of rape and sexual assault upon women can increase by up to 50% (Eden, 2003), and harassment from men leaving the club or touts outside also increased significantly after the opening of a club (*Director's Report*, 2002). A recent report by Transport for London found that women feel four times less safe than men walking at night, and will restrict their movements to avoid travelling at night. (Walker et al, 2003) Venues offering adult entertainment involving nudity tend to increase perceptions of crime and potential risk (*Director's Report*, 2002), potentially seriously restricting the rights of women in the area to move about freely in safety.

On the ground: Borough by borough focus

Despite the intentions of the Licensing Act to create an integrated licensing approach across London and the UK, there are still variations in the way boroughs approach the issue of lap dance and adult entertainment. During the interviews conducted for this report, several borough licensing authorities admitted to not knowing how many lap dancing clubs were licensed in their area.

This knowledge gap was usually either the result of under-resourcing within the licensing departments, or a decision taken at Council level to cease specifically tracking lap dance applications as they are now considered Premises Licences with additional Adult Entertainment.

This part of the report examines the distribution of venues offering adult entertainment involving nudity across London in relation to the policies of the Licensing Authorities responsible for policing them. Each borough's official and actual club totals³ are listed with a summary of the borough's Licensing Policy in relation to lapdancing clubs. Any additional violence against women (VAW) strategies implemented by the borough are also listed where appropriate.

Barking and Dagenham

Reported clubs in 2006: 0

Actual clubs: 0

All new applicants in Barking and Dagenham would be required to apply for a Sex Encounters Licence in addition to a Premises licence, which is required by the Licensing Act 2003. The Licensing Authority would 'probably' also require extra restrictions to be imposed in accordance with the protection of children from harm requirement of the Licensing Act 2003. (*Licensing Policy, 2005*) The

³ 'Actual club total' is used to refer to a discrepancy in licensing, where a borough may claim to not licence any clubs due to lack of monitoring under the Licensing Act 2003.

Council has not yet received an application so these policies are currently untested. (Interviews, 2006)

The Sex Encounters Licence requires consultation with local Police, who can also object to the proposed establishment as an interested party. Residents or business owners living within 2 or 3 blocks of the proposed club or event can make representations. Any party objecting to an application on the grounds of saturation must prove to the Licensing Authority Panel's satisfaction that another successful application will result in cumulative impact.

Violence Against Women strategy

Barking and Dagenham Council describes its Licensing Policy aims as increasing tourism, promoting pride in the Borough and making the area more attractive. The Lilith Report (2003) found that local residents object strongly to lapdancing clubs, and believe that they have a detrimental social and environmental effect on the local community. Other boroughs have reported increases in crime in the areas around clubs, and a corresponding decrease in resident perception of safety. The Licensing Authority lists establishments that induce binge drinking as less favourable applications in its policy, but does not list lapdancing, despite its consistent links with increased sexual violence, prostitution and trafficking. (*Ibid*) Barking and Dagenham has no clear centralised VAW strategy, but does operate some domestic violence support.

The Authority is not focusing on lap dancing as a form of violence against women, or acknowledging that it precipitates other forms of violence against women. The Council's focus on domestic violence strategy as an umbrella VAW policy is inadequate in addressing women's multiple exposure to the risk of violence, and does not recognise that domestic violence is a gendered offence that is mostly perpetrated upon women. Barking and Dagenham is risking failing women living in the borough by refusing to accept that men and women

experience different forms of violence, with men being more at risk in alcohol-fuelled confrontations, and women being more at risk of interpersonal violence by a friend or partner (BBC, 2007). Unfortunately, this 'gender-neutral' approach is a popular policy with many boroughs.

Barnet

Reported clubs in 2006: 0

Actual clubs: 0

Barnet interprets the Department of Culture, Media and Sport guidelines on protecting children from harm as 'limiting children from accessing licensed activities that may cause them psychological or moral harm' and includes establishments that provide adult entertainment in this category. (*London Borough of Barnet Licensing Policy, 2005*)

Applicants are required to declare any activities that may give rise to concern under the protection of children from harm objective, regardless of whether children are likely to view it. The Licensing Authority will also stipulate use of CCTV and other crime reduction strategies in conjunction with local police forces to limit the proposed venue's impact on public safety.

Applicants are also required to give details of how they will maximise public safety and minimise public nuisance. They are not required to declare an intention to hold lap dancing or strip entertainment elsewhere in the application. (*Application for a Premises Licence, 2005*)

Violence Against Women strategy

Barnet Council affirms that speaking to someone or acting towards her in a derogatory manner, or forcing her to watch pornography, is sexual abuse. (*Don't Let the Abusers Get Away With It, 2006*) However, in common with Barking and Dagenham and many other boroughs, Barnet highlights violence against women

issues through its domestic violence strategy. The Council is yet to enforce its statement on pornography in circumstances other than domestic abuse. Barnet Council should extend its definition of sexual abuse beyond its current context of abusive intimate relationships to include harassment in all forms. The Council should also review its policy of treatment regarding lap dancing and strip establishments in light of the links made by VAW agencies between these establishments and increased instances of violence against women.

Bexley

Reported clubs in 2006: 0

Actual clubs: 0

Unlike some of the boroughs, Bexley Council makes a requirement of inspection, meaning that each application is subject to one inspection during application and one inspection during the licence period if the application is successful, to ensure compliance with licence restrictions. The majority of premises licences are granted for one year, allowing local interested parties and responsible authorities to object to licence renewal. The borough's saturation policy will be reviewed every three years in consultation with the local community.

Bexley extends its protection of children from harm policy to include sexual and emotional abuse, including;

- sexual exploitation of children and young people,
- exposure of children to substance misuse,
- engaging children or coercing them into watching sexual acts. (*Bexley Council Statement of Licensing Policy, 2005a*)
- "Where entertainment or services of an adult or sexual nature are commonly provided which will include topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism or entertainment involving strong or offensive language" (*Bexley Council Statement of Licensing Policy, 2005b*)

However, the policy still stops short of protecting women over the age of 18. The Licensing Authority does consider the viability and safety of public transport local to the application site, but this is not explicitly linked to women's safety (*Bexley Council Statement of Licensing Policy, 2005c*). Borough policy concentrates upon women as consumers (shoppers, consumers of entertainment) but does not offer strategies to specifically increase women's safety in the borough.

The Licensing Policy highlights crime and disorder but fails to identify the heightened risk of crimes perpetrated against women in areas near lap dancing clubs.

Violence Against Women strategy

Bexley adheres to the minimum standards of the Greater London Authority Domestic Violence Strategy (Choo, 2003). However it should acknowledge the links between male use of lap-dancing clubs as a form of control or coercion against female partners (for example using the club to reinforce a partner's negative self-worth, or to force her into performing sexual acts that she is uncomfortable with). Bexley should also acknowledge the evidence linking lap dancing clubs with increased sex industry activity and the increased likelihood of violent incidents against women in future VAW policy development.

Brent

Reported clubs in 2006: 1

Actual clubs: 1

Brent Council states that it endorses a 'family friendly' ethos, and 'may consider' imposing conditions upon venues offering adult entertainment involving nudity if children may be present. As with many other boroughs, Brent's policy on harm reduction only applies to children, and not to women in the borough. For Your Eyes Only is the only club in the borough, and was the property of SFI Group.

SFI had been unsuccessfully trying to rid itself of the FYEO chain following the public controversies surrounding lapdance and sexual exploitation and is now in administration.

For Your Eyes Only is still trading and is still licensed by the borough. The club is situated near a residential estate, a primary school and a large recreational centre, belying Brent's 'family friendly' tag.

Violence Against Women Strategy

Brent recognised domestic violence as a major obstacle to women's progress in its 1997-2000 crime prevention strategy.

However, the wider issues of violence against women are not being adequately addressed in Council policy. Brent Council is something of a pioneer in licensing transparency, being one of the very first boroughs to make its licensing database fully accessible online, but this forward thinking is not matched in its willingness to address VAW issues.

Bromley

Reported clubs in 2006: 0

Actual clubs: 0

Bromley Council is responsible for 800 Premises and 1000 Personal Licences. (*Bromley Licensing Policy, 2003a*) The Council stressed that it took its licensing obligations very seriously, and that if any licensee did apply to open a club providing adult entertainment involving nudity in the borough, he or she would be expected to co-operate with stringent restrictions to protect children from harm, including whether the venue's purpose could be guessed from its external appearance. Although a failed application was made in 2000, the borough currently has no licensed clubs. However, licensing officials did admit that under the new Licensing Act 2003 they have no power to request the type of

entertainment offered in a proposed venue, meaning that the applicant can choose not to provide details of the type of entertainment, but merely that it may not be suitable for children.

This report has not found any unlicensed activity in Bromley, barring incidents in Harriet's nightclub, which was closed down in March 2005 after numerous licence breaches, including unlicensed lap dancing. (Press release, 2005) In addition, the Star and Garter pub in Bromley offers regular pole-dancing lessons to Bromley residents with little restriction. The borough's *Licensing Policy* (2003b) lists adult entertainment involving nudity as a cause for concern when an application is made.

In its Licensing Policy the borough Licensing Authority espouses a 'holistic approach' that does not use licensing as a method of reducing disorder, but seeks to reduce negative impact of licensable activities upon people living and working in the area. (*Licensing Policy*, 2003c) The Authority will consider cumulative impact under certain restricted conditions, such as crime or disorder in the vicinity of the application, and other 'high-risk' factors, which focus on concerns around binge-drinking rather than women's safety and well-being. ((*Licensing Policy*, 2003d)

As with other boroughs, Bromley follows the DMCS guidelines in not commenting on whether or not lap dance is a desirable activity within the borough, but limits itself to preventing children from being exposed to the clubs. In the case of Bromley, potential applicants are required to prove that they will be willing and able to shield children from 'entertainment or services of an adult or sexual nature,' including 'topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong or offensive language.' (*Licensing Policy*, 2003e)

The Licensing Authority promises strenuous adherence to the DMCS guidelines in terms of public decency, and any clubs that did open in the borough would have a condition attached to their licences that no advertising or visual representations of the club could be visible from public highways. However, in line with the DMCS guidelines, further tracking of applications, particularly those that failed, would be virtually impossible for outside agencies, making objecting to new clubs or mapping the impact of venues on women's safety and well-being immensely difficult.

Violence Against Women Strategy

Like many other boroughs, Bromley strongly identifies violence against women as being a domestic violence issue.

In addition to rolling programmes educating women in the borough on domestic violence, including coercion and sexual exploitation, Bromley also offers some limited women-only services for women who identify as vulnerable. In common with the majority of London boroughs, Bromley does not officially recognise the links between venues offering adult entertainment involving nudity and harm against women over the age of eighteen.

Camden

Reported clubs in 2006: 6

Actual clubs: 6

Camden was the subject of the Lilith report on lap dancing in 2003, which found the borough licensing policy at that time to be highly unsatisfactory. At the time of publication, Camden had admitted that prostitution and drug-taking were suspected in clubs operating within the borough, that the exclusion of under-18s was left to the club's discretion, and that touts and pimps had been harassing and accosting male and female passers-by. Furthermore the report found that

reported sexual offences increased by 50% after the introduction of clubs into the borough (Eden, 2003).

In the interim period, Camden has increased scrutiny of clubs licensed in the borough, following a slew of stories in national tabloids about management wrong-doing.

The carrying on of these activities can provide the opportunity for prostitution, pimping and other offences of a sexual nature. Further, the location and operation of such premises can give rise to public nuisance issues.

- Camden's stance on adult entertainment clubs
Statement of Licensing Policy, 2003

This hardened stance culminated in 2004 with a consultation on licensing that included the option of 'freezing' all potential applications for new clubs in the borough. Camden's current licensing policy explicitly requests any clubs providing lap dance and striptease to provide a comprehensive Operating Schedule. This is to include a copy of dancer conduct rules, rules for customers that have been drawn up in consultation with the Police and risk assessments.

All clubs also have to run pre-employment checks for staff and operate a blanket ban on under-18s in the club. Clubs offering adult entertainment involving nudity are also subject to 'Special Policy Area' rules that take special note of cumulative impact around Camden Town centre and the Seven Dials area (Camden CMS Service, 2005). Camden's definition of violence against women does not explicitly link lap dance or striptease with the continuum of violence against women, and the borough will issue licences if faced with 'negative representation' (meaning no opposition is made to the club or Council).

Violence Against Women Strategy

As with the majority of the Licensing Authorities in London, Camden needs to develop a more in-depth definition on violence against women that extends beyond domestic violence and encompasses on-street harassment. This could be done in consultation with local community groups. The Licensing Policy (2003) states that Camden will, in its capacity as a Licensing Authority, consider the impact of any new application in terms of the people living and working around the proposed venue, but this does not specifically define the issue of venues offering adult entertainment involving nudity as a concern. Camden does now recognise venues offering adult entertainment involving nudity as a source of disorderly behaviour in a similar vein to high-volume drinking establishments. Camden is now arguably a model of best practice in relation to licensing venues offering adult entertainment involving nudity.

City (Corporation of London)

Reported clubs in 2006: 0

Actual clubs: 0

The Square Mile is plagued by the stereotype of ‘wide-boys’ spending over-inflated bonuses in strip clubs. In actual fact, the Corporation of London Authority has always pursued a vigorous policy of refusing all applications for clubs in the borough, and according to licensing officials, there has never been a club offering adult entertainment involving nudity in the City. A recent report alleges that there may be as many as eight adult venues in the City (Chaste, 2006). When interviewed, licensing officials were extremely concerned that the borough would be unable to continue this policy in light of the new Licensing Act. The City Licensing Policy views venues offering adult entertainment involving nudity as undesirable applicants, but under the new Licensing Act 2003 they must consider all new applications for licensing equally, regardless of the activities that the applicant proposes, so long as they do not contravene the DCMS Licensing Objectives or the Licensing Statement.

The Corporation recognises it has limited discretion regarding the granting of these licences.

In general, provided an applicant has a qualification determined by DCMS and does not have specified serious criminal convictions the application is required to be granted.

-The Corporation of London Statement of Licensing Policy (2004)

Since the Act came into force in late 2005, at least one applicant has approached the borough repeatedly about altering his current premises licence to include topless dancing five nights a week. (Interviews, 2006)

At the time of writing the licence had been issued with a variation for clothed (not topless) dancing, but licensing officers may have no recourse to refusal in future without the protection offered by previous legislation (City of London, 2005 [online]).

Violence Against Women Strategy

City is one of the few boroughs that will recognise the risk that venues offering adult entertainment involving nudity pose to women living, working and socialising nearby. In addition to this, the Corporation of London's Crime Reduction Partnership includes strategies to reduce occurrences of the most common forms of violence against women (rape and domestic violence) as a priority.

Croydon

Reported clubs in 2006: 0

Actual clubs: 6

Croydon is typical of many boroughs in its approach to venues offering adult entertainment involving nudity. The Licensing Team were unable to give any

information, even down to the club name. From secondary research on the Internet forums most commonly used by lap-dance 'punters', the club was identified as being a new For Your Eyes Only club, which opened in 2005 to a cost of £1.2 million. (FYEO, 2005 [online]) The club has since won awards for being the best borough club venue (Mokbel, 2006). The Licensing Authority has not stipulated any special requirements for the club's operating schedule, and at the time of writing, had no intention to make any additional requirements on any other potential applicants offering adult entertainment involving nudity.

Violence Against Women Strategy

Croydon is renowned for its progressive stance on Violence against Women issues, supporting the work of the Rape and Sexual Abuse Support Centre (RASASC) and housing one of the first 'one-stop' domestic violence services and specialist domestic violence courts in the UK. However, in common with many London boroughs, Croydon is reluctant to acknowledge the links between venues that offer adult entertainment involving nudity and lap dancing. The Croydon Crime Reduction Partnership highlights VAW as a key priority, and has implemented several schemes to improve the daily quality of life of female residents of the borough, including a Taxi Marshall scheme and a pledge to improve street lighting (*Crime Reduction Strategy 2006 – 2009*, 2006), which indicates that the Council understands the issues of safety and danger perception that concern women. Unfortunately, the Council fails to translate this into any clear acknowledgement of the risks posed by lap dancing clubs to the safety of its female residents.

Ealing

Reported clubs in 2006: 1

Actual clubs: 1

Ealing, like Brent and Hammersmith, has a long-standing working relationship with its sole adult venue. LA Confidential is situated on Ealing Broadway, one of

the busiest public areas in the borough. Ealing Council stipulates in its *Statement of Licensing Policy* (2005a) that 'the Licensing Authority expects there to be some form of regular and positive engagement between businesses and residents.' According to the Council, this should lead to 'a better understanding of each other's needs and concerns and inspire a degree of trust'. Unfortunately the Policy does not give any guidance on how this can be achieved. The Council also views LA Confidential as a 'low risk' venue, which requires less intervention than clubs in other boroughs.

Ealing, in common with Barnet Licensing Authority, requires potential licensees to show that they have developed strategies to minimise negative impact, including installing CCTV, having a strong staff presence and minimising disturbance. Applicants also have to cooperate with a risk-assessment procedure and adopt 'recognised good practices'. (*Statement of Licensing Policy*, 2005b) Ealing also recognises that the concept of what constitutes a public nuisance is very subjective, and concedes that a lap dancing club could be viewed in this way.

However, Ealing does not make any additional requirements on venues offering adult entertainment involving nudity beyond stipulating that under-18s should not be admitted. This leaves the licensing system open to abuse, and offers very little protection to anyone who wishes to object to such a venue beyond calling it a public nuisance, which hardly encompasses the myriad problems lap dance clubs can create.

Violence Against Women Strategy

Ealing Council recognises the harm caused by fear of crime and it remains a priority in the borough's *Community Safety Strategy* (2006). However, the Strategy ghettoises women's experiences of violence into 'harmful cultural practices', 'domestic violence' and 'same-sex violence', ignoring sexual

harassment, coercion, sexual exploitation and opportunistic offences, which are precisely the offences that are mostly likely to affect women, and which are most closely tied to the presence of lap dancing clubs. The Council has not connected women's fear of crime with venues that are likely to be risk hotspots.

Enfield

Reported clubs in 2006: 0

Actual clubs: 0

Enfield describes itself as a 'null borough' and claims to refuse all applications from clubs offering adult entertainment involving nudity. It is unclear how long this stance may continue in light of the new Licensing Act.

Enfield's *Statement of Licensing Policy* (2004) is silent on the subject, which does not bode well for women in the area who wish to object in the future.

Violence Against Women Strategy

Enfield is committed to supporting women in the borough who are experiencing harassment, but is vague about what punitive action will be taken against offenders.

In common with several London boroughs, Enfield is uncomfortable with the inequalities represented by sexually exploitative entertainment, but is defensive about its strategy to remain a null borough. (Interviews, 2006) The Council does acknowledge in its domestic violence strategy that women fear personal attack more than any other crime, but does not follow through in identifying possible sources of these attacks.

Greenwich

Reported clubs in 2006: 3

Actual clubs: 4

Greenwich is a largely residential borough, with the largest proportion of the population being 20-40. It also has the fifth largest total of venues licensed for adult entertainment involving nudity. Greenwich's venues are all 'strip pubs'.⁴ The pubs are located in Woolwich, Blackheath, Plumstead and on a business park in East Greenwich, and usually offer stripping on a stage, after which the dancer will go around the pub with a jug or pint glass and collect money. The dancers are not usually paid by the venue for their work.

These 'strip pub' venues concern campaigners greatly, as their informal attitude offers great scope for exploiting the women working in them.

In the past, Greenwich has claimed that it settles licensing disputes between clubs and residents on the basis of 'natural justice' (Interviews, 2003), but this has been superseded by the Licensing Act 2003.

According to Greenwich's *Statement of Licensing Policy* (2005a), any resident of the borough can make a representation to the Licensing Authority if there has been a provision to do so in the Act. Applicants are instructed to adhere closely to the Department for Culture, Media and Sport's guidance when applying to put on adult entertainment involving nudity, implying that they must simply fulfil the four licensing objectives, none of which adequately address gender violence.

In addition, Greenwich does not operate quotas or saturation policies for any of its licensees, arguing that each venue offers 'contrasting styles and characteristics'. (*Statement of Licensing Policy*, 2005b)

In common with the majority of Licensing Authorities, Greenwich will approve Premises Licences without note if there are no representations. Essentially, if no

⁴ Pubs that make more than half of their income from offering adult entertainment involving nudity

one from the restricted areas described in the Licensing Act objects, then the application is approved.

Violence Against Women Strategy

Greenwich does recognise gender hate crime as an issue, and offers limited support to residents of the borough. As with many of the boroughs, many services are centred on domestic violence, with few resources given over to supporting women who experience harassment, violence or coercion in a non-intimate setting.

Hackney

Reported clubs in 2006: 0

Actual clubs: 0

Despite popular opinion to the contrary, Hackney Council is adamant that it has never licensed any venue offering adult entertainment involving nudity in the borough.

The Council states that any venue wishing to offer adult entertainment involving nudity would have to apply for a Sex Encounter Establishment licence in addition to a Premises Licence, allowing the Licensing Authority to impose greater restrictions and operate a more stringent saturation policy (refusing applications on the grounds of proximity to schools or places of worship).

Does my Premises licence cover the provision of striptease entertainment?

Striptease entertainment requires to be licensed separately as a Sex Encounter Establishment. Your existing Premises licence covers the sale of alcohol,

provision of regulated entertainment and/or provision of late night refreshment only.

- FAQ on Sex Encounter licences, Hackney Licensing Team

...when one or more dancers expose breasts, genitalia and/or excretory organs a Sex Encounter Licence is required by law.

- Hackney Licensing Team, 2005a

Needless to say, few other boroughs follow Hackney's example in adopting this law, and there is some question as to why it is not imposed across London. Although Hackney does not overtly licence strip clubs, it is certain that the area around Shoreditch and the Hackney Road is well-known for hosting 'strip pub' venues. (Lapdance London, 2007)

Violence Against Women

Hackney is one of the few boroughs which has identified the risks posed to women travelling on public transport (*Statement of Licensing Policy, 2005b*), and to address the issue of worker safety. The Licensing Authority also acknowledges that alcohol is a key contributor to domestic violence, but has yet to link up the specific risks posed by venues offering adult entertainment involving nudity and women's safety.

Hammersmith and Fulham

Reported clubs in 2006: 1

Actual clubs: 1

The London Borough of Hammersmith and Fulham (LBHF) licenses one club for adult entertainment involving nudity, and the club, part of the Secrets chain, has been operating for almost ten years, making it one of the longest-running licences for adult entertainment in London. In contrast to boroughs like Tower

Hamlets and Westminster, the Licensing Authority in Hammersmith and Fulham has developed a close working relationship with the licensees of Secrets, which offers some benefits to residents in ensuring that problems are resolved quickly and without fuss, but this ease may be at the expense of impartiality.

When the LBHF announced the advent of the new Licensing Act, the management of Secrets voluntarily undertook to gauge local opinion and possible objections to its application to convert to a Premises Licence. Its proactive stance and lack of previous objections meant that the conversion was granted with no resistance. In response, the borough is full of praise for the club and its community links. However, this relationship was not always as amicable, and in 1998 the Licensing Authority was defeated in court by Secrets after imposing a restriction of minimal clothing. This ruling had far-reaching consequences for London, provoking a tide of 'fully nude' licences.

This ruling may have contributed to the Licensing Authority's cautiousness in producing a Licensing Strategy. LBHF recognises in its *Statement of Licensing Policy* (2004a) that 'people' have the right to enjoy their leisure time 'without fear of violence, intimidation or disorder', but there is no gender-specific strategy on how this should be done, and objections are made more difficult by the Council's attitude on naming lap dance on the licences, with the Council viewing it as a 'beneficial' addition, but not strictly necessary.

The *Policy* treats women as silent consumers, identifying the 'harm' caused by excessive parking, but not identifying the multiple risks of harm posed to women living or working near Secrets. The Council does focus on the need for adequate CCTV to reduce the fear of crime, but this is linked with reducing muggings and violent disorder, two forms of crime which predominately affect male victims. (2004b)

LBHF also reserves the right to refuse licensing to any activity that incites racial, religious, or significantly, gender hatred. However, the objectification of women in the context of strip tease does not appear to qualify as gender hatred, despite the many anecdotal accounts of dancers who have been abused, harassed or assaulted at lap dancing clubs. (Bindel, 2004)

LBHF is adamant that only 'necessary, proportionate and reasonable' licensing requirements will be made, so it falls to campaigners and research organisations to demonstrate the need for gender-specific strategies and licensing guidelines to reduce the risk of harm and improve the quality of life of female residents and visitors in Hammersmith and Fulham.

Violence Against Women Strategy

Although LBHF acknowledges that sexual coercion and violence are an important aspect of violence against women, it treats sexual violence as part of domestic violence, omitting the casual harassment and threatening behaviour that also form part of sexual violence. Evidence from outreach agencies in the Midlands working with women selling sex shows that men coming out of lap dance clubs were extremely sexually stimulated. (Interviews, 2003) These men were more likely to proposition the women, and other boroughs have had similar experiences with on-street harassment and propositioning. By ignoring this, LBHF is failing in its duty to protect its residents from harm. The Licensing Authority should perform a gendered risk-assessment of the area around Secrets, and also review its policy on violence against women.

Haringey

Reported clubs in 2006: 0

Actual clubs: 0

Haringey's *Statement of Policy* (2005) makes absolutely no mention of any policies in place to deal with licence applications for venues offering adult entertainment involving nudity, and claims to have no clubs in the area. The Lilith Project has received reports from Haringey residents of clubs in the borough, but as they are unlicensed they are not included in the borough total.

A report on the patterns of trafficking in London (Dickson, 2004) refers to a woman being trafficked against her will into a Haringey lap dancing club, but it appears to have closed down or moved in the interim.

Violence Against Women Strategy

Haringey does recognise the cumulative impact of incidents of harassment, but it identifies harassment as being part of group anti-social behaviour in terms of loitering as opposed to a method of sexual control or coercion. Haringey is one of the few boroughs that links harassment with domestic violence. Unfortunately, it does not link anti-social harassment and harassment based on gender together, and offers little protection to women who are sexually harassed in public spaces.

Harrow

Reported clubs in 2006: 1

Actual clubs: 0

In the context of licensing, our society has to strike a balance between those activities that profit one portion of that society and those that may have a detrimental effect on another

-Statement of Licensing Policy (2005)

Since the introduction of the Licensing Act 2003, Harrow Licensing Authority has experienced multiple problems in tracking and monitoring clubs in the borough

and this is reflected by its score above. Previous to the introduction of the Act, licensing officials claim that there was one public entertainment licence for adult entertainment involving full or partial nudity. After the Act came into effect, the Licensing Authority was unsure of the number of licences held. (Interviews, 2006) During the process of collating this report, it has come to light that any alleged club in Harrow has closed down, moved or changed the conditions of its licence.

Harrow does identify venues offering adult entertainment involving nudity as a cause for concern, but has admitted that it is constrained by the Licensing Act. (Interviews, 2006) The Licensing Authority advises any licensees wishing to apply for a licence involving nudity to identify any risks involving children and assess them to avoid jeopardising the application, but as with the other boroughs, this solicitude does not extend to anyone over the age of 18. (*Statement of Licensing Policy, 2005*)

Violence Against Women Strategy

In terms of their Violence Against Women (VAW) strategy and awareness, the picture is slightly better.

Harrow does recognise that forcing a woman to watch or act out sexually graphic scenarios is a form of sexual violence, and that this can also be a form of domestic violence. However, there is little support available in the borough for victims of harassment or sexual bullying on the street. Harrow needs to extend its official definition of VAW beyond the current narrow interpretation, which protects women inside their homes, but ignores the impact of violence against women in public areas, and look at the effect that its current licensing policy has upon this situation.

Havering

Reported clubs in 2006: 0

Actual clubs: 2

Havering is another example of a Licensing Authority struggling with the longer-term effects of the Licensing Act 2003. The borough Licensing Policy does highlight the issue of saturation in Romford, which has a dangerously high concentration of 18-24 year olds, increasing the risk of violence and harassment. (*Statement of Licensing Policy, 2005a*)

Havering's Licensing Authority did license two venues offering adult entertainment involving nudity, (Trax and Hollywood) in 2003, but in the wake of the new legislation, the Licensing Team were unable to determine whether the clubs had transferred their licences or closed.

An application to license...lap-dancing, table-dancing and pole-dancing would, initially, be subject to consultation. The extra conditions would specify measures to be taken to protect performers from interference from clients...

- *Statement of Licensing Policy (2005b)*

If you happened to work in one of the two clubs offering adult entertainment involving nudity in the borough, you would have the small consolation of knowing that you were in one of only a handful of Licensing Authorities who place obligations upon licensees to provide a safe working environment.

If you are a resident or visitor to the area, then the situation is less reassuring. The *Statement of Licensing Policy* does recognise that safety on public transport is an issue, and states that a lack of public transport would jeopardise an application involving late night opening, but stops short of highlighting the increased risks for women travelling on public transport. (*Licensing Policy, 2005c*) This potentially leaves women in the borough at risk of harassment or possible attacks.

In terms of best practice, Havering is almost unique in issuing a separate schedule of restrictions on venues offering adult entertainment involving nudity. Some of this schedule is reproduced in Appendix 3 for further information.

Violence Against Women Strategy

Havering's *Statement of Licensing Policy* (2005d) requires any potential licensees to adhere to both the Race Relations (Amendment) Act 2000 and the Disabilities Discrimination Act 1995, but does not enforce compliance with the Sex Discrimination Act 1975, and makes no mention of the Gender Equality Duty (2007).⁵

The borough's stance is almost wholly gender-neutral, and, as is the case in other boroughs, it is the female inhabitants who experience the most negative impact. The Council's website does link harassment with gender, and suggests that some 'groups' may experience more harassment than others, including domestic violence and anti-social behaviour, but does not commit itself fully to a coherent VAW strategy.

Hillingdon

Reported clubs in 2006: 5

Actual clubs: 6

Hillingdon, like Havering, is an outlying, mainly residential borough. It also has one of the highest numbers of venues offering adult entertainment involving nudity of any residential borough. This is partly due to its position at the nexus of several major transport hubs, including the M25 and Heathrow airport, and partly due to Hillingdon Council's attitude towards licensing.

⁵ For more information on using the Gender Equality Duty in objection processes, please see Appendix 4.

When the Lilith Project published its first lap dancing report in 2003, Hillingdon was a 'G-strings off' borough, thanks to Hammersmith Council's defeat in court (see 'Hammersmith and Fulham' entry). The borough officials were concerned that the Council would be similarly forced to become a nude borough, and avoided any possible litigation by opting for total nudity from the start. Naturally clubs like Spearmint Rhino were delighted and opened branches in Hillingdon and Uxbridge.

Following newspaper allegations concerning Spearmint Rhino's 'flagship' Tottenham Court Road club, the Colnbrooke Spearmint Rhino became the venue of choice for business and sales executives who wanted to attend strip clubs without media furore. (Interviews, 2006)

This lack of critical attention meant that while Camden cleaned up its act in the ensuing three years, inappropriate behaviour and prostitution were still reported at Hillingdon's Spearmint Rhino. (Interviews, 2006) Hillingdon's *Statement of Licensing Policy* (2004a) states that 'conditions would be applied' in the event of entertainment involving nudity taking place, but is vague as to what these conditions might be, beyond banning minors. Unusually, the Policy also does not forbid repetitious complaints. (2004b)

Violence Against Women Strategy

...if you're a single woman expect to be hassled by one of the many groups of blokes who seem to hunt in packs. I always feel an underlying sense of tension in the pubs and I've seen more than an average amount of trouble for an area.

- Anon, 2001

As the above comment shows, personal safety is a key concern for women living in the borough, and the presence of a large strip club in the entertainment centre of Uxbridge is a major cause of concern for the poster. This comment was taken from a local forum, and the poster's description of men hunting 'in packs' underlines Lilith's argument that clubs offering adult entertainment involving nudity pose a tangible threat to women's safety and mobility. Hillingdon's licensing policy does very little to address these fears.

Fear of crime is a major contributor to women's lack of mobility, with women being three times more likely than men to cite fear of crime as a factor in planning travel or social arrangements. (Home Office, 2006) There is little guidance for residents wishing to object to anything other than late opening hours, suggesting that Hillingdon's focus is on events in the home, not outside.

This lack of concern for women's safety in social spaces is in sharp contrast to Hillingdon's excellent provision for women experiencing domestic violence in their own homes, including 'panic buttons' on the borough website to take women to 'safe' pages if their abuser is nearby, and the Sanctuary Scheme, which helps women who've experienced domestic violence to remain in their own homes.

...typically a room in the victim's home can be fitted with a fire resistant door that opens outwards, deadlocks and anti-forcing bar. Other measures might include a door viewer and speaker system, window locks and a fire extinguisher. Security will be tailored to the needs of the victim.

- Sanctuary Scheme press release, 2006

Sadly it would seem that once a woman steps outside her front door, she is on her own.

Hillingdon currently focuses all of its efforts on tenant rights over people being harassed in public areas. Its insistence on a resolutely gender-neutral licensing policy is consistently failing women and leaving them open to harassment and the very real possibility of assault.

Hounslow

Reported clubs in 2006: 0

Actual clubs: 0

Hounslow currently has no premises offering adult entertainment involving nudity. The Licensing Authority's *Statement of Licensing Policy (2005)* requires all potential licensees to make risk assessments of their applications, but it is not clear whether a gendered approach is encouraged. Like Havering, Hounslow bases its policy in the Race Relations (Amendment) Act 2000, but ignores all legislation to promote women's rights to go out in public places without fear of harassment or attack. It also pursues a very low-key line in protecting children from harm, stating that the presence of children in a venue offering adult entertainment involving nudity is of 'particular concern,' and suggesting that full exclusion may be best. As there are no clubs in the borough, it is not possible to see this policy in effect.

Violence Against Women Strategy

Hounslow Council pledges to make harassment one of its crime prevention priorities, but there are no clear policies in place to demonstrate how this would happen. As with the other boroughs, there is a strong focus on domestic violence, but the Council appears to be guided by the voluntary sector in its strategies to support women experiencing domestic violence.

Islington

Reported clubs in 2006: 1

Actual clubs: 1

Islington received a glowing report in Lilith's previous report on lap dancing (Eden, 2003), largely because it required any clubs wishing to offer adult entertainment involving nudity to register as a Sex Encounter Establishment, which involved greater restrictions and monitoring, and a significantly increased fee, than a straightforward Public Entertainment Licence. Like Camden, Hillingdon and Westminster, Islington is a full nudity borough.

There are no longer any specific provisions in legislation to control or prohibit adult entertainment with a sexual content in licensed premises. The activities may however be relevant when considering the promotion of the licensing objectives.

- *London Borough of Islington Statement of Licensing Policy 2005-2008 (2005)*

In its *Statement of Licensing Policy 2005-2008 (2005)*, Islington sets out separate conditions for venues offering adult entertainment involving nudity, and requires all applicants hoping to offer nude or partially-clothed entertainment to specify this in their operating schedules, and to demonstrate exactly how they will minimise any negative impacts of their application.

Islington also recognises that its ability to use Government legislation in the case of nude entertainment has been curtailed by the Licensing Act 2003.

In the case of relevant representations being made to the Licensing Authority within 28 days of the application, the Authority will presume that the licence will not be issued, unless the following conditions can be met:

- the premises operating schedule specifies adequate arrangements for prohibiting children under the ages of 18 from entering the premises

- the premises operating schedule specifies adequate arrangements for preventing crime and disorder and preventing public nuisance
- the adult entertainment cannot be seen from the street
- the adult entertainment is in a designated area of the premises with segregation from the audience
- the adult entertainment is in a position where the performers will have direct access to a dressing room without passing through or coming into close proximity to the audience
- there is no external advertising of adult entertainment either at the premises or in its immediate vicinity.

As the above conditions show, Islington is also unusually concerned for the welfare and workplace safety of women working in the clubs.

Violence Against Women Strategy

The Council takes a strong stance against harassment and Islington's Equality and Diversity Unit makes explicit reference to several gender-specific laws, including the forthcoming Equality Bill and the Protection from Harassment Act 1997. Under this legislation, Local Authorities are charged with a duty of protecting their service users from harassment, and this would include harassment or abuse from men on the street, or from a lap dance club. The legislation also offers some protection for women working in clubs, if they are able to take advantage of it.

In addition, the borough operates two Dispersal Orders, allowing Police to move on groups of more than two people, and to temporarily ban non-borough residents for 24 hours. To date these Orders have not been used to disperse men coming out of a lap dance club.

Kensington and Chelsea

Reported clubs in 2006: 1

Actual clubs: 1

When interviewed for this report, Kensington and Chelsea Licensing Authority did state that it had one club offering adult entertainment involving nudity, but that the club, Bromptons, was aimed at gay men, and had no female dancers. It is counted in the total because it is a lap dancing club under the definitions of the Licensing Policy and makes the majority of its money from nude entertainment, but it is not part of the report's overall focus.

Of all the boroughs approached, Kensington and Chelsea's Licensing Authority is the most open to dialogue with residents. It also has the most reasonable definition of the 'vicinity' of objection (e.g. how far from the proposed venue an objector can live and work).

This is encouraging, particularly in relation to the Licensing Act's relaxed stance towards venues offering adult entertainment involving nudity.

The bodies known as "Responsible Authorities" and any residents or businesses in the "vicinity" of the premises may make representations regarding the application within 28 consecutive days of the application being made.

In this context "vicinity" will generally be taken by the Royal Borough of Kensington and Chelsea to mean a distance of around 100m although representations may be entertained by businesses or individuals living or situated further away if they are within the premises' "sphere of influence" (this might include residents who live on a route that is used by the patrons of a venue as they disperse, for example, heading for public transport).

- *The Licensing Act 2003: A guide for residents (2004)*

This policy underlines Lilith's key message that strip clubs add unwelcome and unnecessary risks to women's mobility. Kensington and Chelsea's particular focus on transport networks suggest that it is well aware of this correlation. In a recent survey collated by the Council (2005), over half of the female respondents placed antisocial behaviour and fear of crime as the Council's top priority over the coming year, highlighting the continuing rise in fear of crime.

Kensington and Chelsea does include the reduction of antisocial behaviour and crime as one of its strategic aims, but like many boroughs it restricts itself to defining antisocial behaviour as alcohol-related violence, petty theft, loitering, street drinking and muggings, all of which are mainly male-on-male violence. Women are generally more afraid of rape than theft (Home Office, 2006) and Kensington needs to address this.

Kingston

Reported clubs in 2006: 0

Actual clubs: 1

During their correspondence with the Lilith Project, officials from Kingston admitted that they had no idea of the number of clubs offering adult entertainment involving nudity in the borough, as the new restrictions on monitoring Operating Schedules severely limit any attempts to track licences, unless a complaint is lodged.

Several internet strip club reviewers mention the Blue Bar, a club in Kingston offering nude dancing, but Kingston was unable to provide more details of this venue, due, it said, to the new legislation. (Interviews, 2006)

However, during the process of writing this report, researchers located the licensing information for the venue on the Council's website with minimal effort.⁶ The licensee, Punch Taverns PLC, is subject to the conditions listed below.

Striptease entertainment shall be given only by the performers / entertainers and no audience participation is permitted.

It will a) be in a position where the performance cannot be seen from the street
b) be in a designated area of the premises with segregation from the audience
c) be in a position where the performers will have direct access to the dressing room without passing through or in close proximity to the audience.

- Kingston Public Register, 2005

In addition, Punch Tavern is charged with ensuring the 'quiet dispersal' of its customers.

The licence holder or their representative will promote the effective and quiet dispersal of patrons from the premises by requesting them, both verbally including, when necessary, public announcement, and through conspicuous signage, to leave and disperse in an orderly and quiet manner.

- *Ibid*

This condition is an example of a policy which could be altered by the Council with minimal effort to include a specification to ensure that the licensees were also responsible for reducing harassing behaviour towards women by any of their patrons.

Violence Against Women Strategy

⁶ Please see the References section for more information on the venue's licence.

Kingston operates a robust policy against harassment within a tenancy framework, arguing that harassment also includes 'offensive behaviour' and 'hostile acts' that can be motivated by gender hatred. (*Anti-social Behaviour Policies and Procedures*, 2005) However, it does not join up this policy with the rest of its VAW strategies, and does not acknowledge the links between lap dance clubs and increased cases of gender harassment.

Lambeth

Reported clubs in 2006: 0

Actual clubs: 1

In a similar case to Kingston, Lambeth was 'unsure' about the number of licences in its jurisdiction. (Interviews, 2006) According to a 'strip watcher' site,⁷ there is a strip pub in Vauxhall, but Lambeth's Licensing Authority was unable to confirm this.

Lambeth's licensing policy lacks focus in its treatment of gender. Its suggestions for dispersing patrons after the close of a venue late at night include the door supervisors giving each customer a free lollipop as they leave, and playing soothing music. (*Statement of Licensing Policy*, 2005) However, these helpful hints do not help any women having to walk past the venue, which is on a main thoroughfare and close to Vauxhall station, spelling potential misery for countless women travelling home after a night out.

The Council does have some more acceptable recommendations for applicants, including increasing outside lighting levels and proposing that managers or door supervisors patrol a few streets away at closing time to assess problem areas, but these encouraging policies are somewhat overshadowed by the prospect of qualified door staff having to dish out sweeties.

⁷ Punterlink and Lapdance London

The Council recognises it has very little discretion regarding the granting of these licences. In general, provided an applicant has a qualification determined by DCMS (or holds an existing Justices Licence) and does not have certain serious criminal convictions the application has to be granted.

- *Statement of Licensing Policy, 2005*

According to its officers, the Licensing Authority judges each licence application on its own merits, which means that two applications on the same street for a venue offering adult entertainment involving nudity may not be subject to the same licensing conditions. This situation has already occurred in Westminster, thanks to the 'grandfather clause' allowing licences to convert to post-Act licensing without standardising their licences, making representations extremely problematic. The attitude in Lambeth seems to be that the licence will most likely be granted, so the Council's role is to act as a harm reduction agency.

Violence Against Women Strategy

What was the typical age of the clientele?

Between 18 and 24. It was a young club, singles, big groups, couples and a lot of stag nights.

- Dancer describing a South London club, 2005

Lambeth has the youngest age profile in the UK, with 45% of its residents aged between 20 and 40, and is home to a large concentration of affluent earners with degree educations. (*Statement of Licensing Policy, 2005*) This means that any adult entertainment club opening in the area would have a high demand, but also means that there are a larger number of young people in the borough that would be negatively affected by the influx of more clubs.

What kind of women worked there?

There were single mothers, women on drugs, women who were involved in more underground things and prostitution. Lots of the dancers had low self-esteem. One girl was a career dancer, she had a boob job to improve her chances.

- Ibid

Lap dance has become an aspirational icon, with some young men aspiring to be consumers and some young women seeing lap dancing as a glamorous and easy job. Despite Council guidelines requiring clubs to have discreet signage, virtually every club has pictures of luxurious surroundings and slim, attractive women displayed outside, continuing the illusion of sexual availability, and encouraging young women into a position of sexual exploitation. In one US study, 100% of dancers in adult clubs say that they were harassed and 78% were approached for the purposes of prostitution. (Holsopple, 1998) Dancers were also expected to masturbate or allow oral penetration as part of the job description. (Ibid)

How much did you earn?

We were told £30 per hour, but it was more like £30 per night.

What was the attitude of the managers?

We were offered 'other work', I was offered £700 to do one night at Stringfellows, with 'some clothing'. Girls would tolerate hassle to a point and didn't make a fuss.

Was there prostitution in the club?

There were some women that were understood to be 'available'. Others that were 'wanted' were offered large incentives.

-- Dancer describing a South London club, 2005

Lambeth is well-publicised for being the ‘teenage pregnancy capital’ of Britain (*Telegraph*, 2005) and also has 39% unemployment, resulting in a large pool of young women who are vulnerable and who may see working as a dancer as a viable career choice. In view of this, Lambeth needs to recognise that it is vital to incorporate VAW into its current strategies to support vulnerable young women, and to draw explicit links between lap dance clubs, sexual exploitation and coercion into working in prostitution.

Lewisham

Reported clubs in 2006: 0

Actual clubs: 0

Lewisham currently has no clubs offering adult entertainment involving nudity, and is not aware of any applications being made at the current time. Its *Statement of Licensing Policy* (2006) states that the Council does not believe licensing to be ‘a mechanism for general control of anti-social behaviour’ but does accept that it can play an important role in reducing crime and the fear of crime. The *Statement* also carries the minimum standards for protecting children from harm in the case of nude entertainment, but does not make any additional commitments in terms of policies around these venues.

Violence Against Women Strategy

Lewisham has some good examples of local government-led strategies to tackle fear of crime, which is the largest area of concern for borough residents, and a key concern for women. (Police statement, 2006) One of these strategies is more official presence on the street to discourage harassment and threatening behaviour by using street wardens. (Warden Service, 2006) However, it is debatable how effective this strategy would be at protecting women in the early hours of the morning when most late-night licences close.

Merton

Reported clubs in 2006: 0

Actual clubs: 0

Merton has no venues offering adult entertainment involving nudity, and was a 'no nudity' borough until the recent legislative change. Its *Statement of Licensing Policy* (2005) states that the Licensing Authority will judge any application, including adult entertainment involving nudity, on its own merits, but that special consideration would be given to licences of this kind to protect children from harm.

Violence Against Women Strategy

Merton is clearly concerned with some of the aspects of VAW that affect women in the borough, particularly harassment and domestic violence, although it does insist on focusing on the effects of domestic violence on children rather than women. However, it has a slightly sounder grip on harassment, and includes this information about discrimination on its website:

Harassment is termed sexual harassment if the unwanted behaviours are linked to your gender or sexual orientation. The EU definition of sexual harassment is "unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of men and women at work". If the harassment comprises regular following, watching, repeated unsolicited contact or gifts, etc, the term stalking may be appropriate.

- 'Harassment Help', 2006

Unfortunately, the borough authorities only consider behaviour with a 'strong physical element' to be harassment, otherwise it is considered to be 'bullying'. (LB Merton, 2006) This is unfortunate for women in the borough, as male-on-female harassment in public spaces tends to be opportunistic behaviour, as they exit pubs or clubs, or whilst moving to another venue. Merton's policy also stops short of including street harassment, limiting itself to school or the workplace.

Newham

Reported clubs in 2006: 4

Actual clubs: 4

When contacted for interview, Newham said that prior to 2005 there were definitely 4 venues offering adult entertainment involving nudity in the borough. However, like Tower Hamlets and Lambeth, Newham has been unable to track these venues in the wake of the new legislation. (Interviews, 2006)

Officials at Newham report that to the best of their knowledge all of the clubs converted their licences, but they are not sure. The borough's *Statement of Licensing Policy* (Miller, 2005) does recognise that the licence of a venue cannot be viewed in isolation, and calls upon applicants and licensing panels to consider wider issues of health and safety, but unfortunately stops short of referring to a Violence Against Women strategy specifically.

The *Statement* also bans the distribution or showing of any films which incite sexual or gender hatred, but the Licensing Authority does not consider lap dancing, striptease or any other performances that objectify women to be capable of inciting gender hatred, despite anecdotal evidence to the contrary.⁸ Most disturbingly, the Licensing Authority does not demand outright age restrictions to adult clubs, but merely says there is a 'strong presumption' against admitting under 18s to an adult show with a sexual element. (Miller, 2005)

⁸ For more information, please see Hammersmith and Fulham's licensing case study.

Violence Against Women Strategy

Like many of the London boroughs interviewed, Newham has a domestic violence policy, but does not link this to other VAW policies such as harassment or sexual assault.

The borough has excellent voluntary sector support, but does not take the issues of VAW seriously enough, leaving women in the borough vulnerable to street harassment. The borough is not doing enough to encourage safe spaces for women to be able to socialise without having to curtail their personal freedoms.

Redbridge

Reported clubs in 2006: 2

Actual clubs: 2

Like many other boroughs, Redbridge has had difficulties applying policies after the Licensing Act 2003 came into effect. The Licensing Authority was unsure about how many clubs it licensed after 2005, but was 'fairly sure' that it had issued licences for two venues. (Interviews, 2006) One of these venues, 'Blue Ice' on Cranbrook Road, has a very straightforward licence compared to venues in other boroughs. Redbridge merely requires the licensees to ensure that 'no person under the age of 18 years shall be on the premises whilst striptease or nudity entertainment is taking place [at the hours specified]'. (FLO, 2007)

The borough does not operate any quota or saturation policy, preferring to root its policy in the principle of individual merit (Redbridge, 2005). However, the Licensing Authority takes anti-social behaviour very seriously and has taken advantage of the new legislation to give the Police powers to temporarily close down any licensed venue that is linked with antisocial behaviour. The Council also pledges to 'focus on the direct impact of activities taking place at the

licensed premises on both adults and children living in, working in or visiting the area concerned.' (Redbridge, 2005).

However, no restrictions of this type are included in the exemplar operating schedule of Blue Ice. The *Statement of Licensing Policy* also states that the Licensing Authority will take 'strong measures' to protect children from physical, moral or psychological harm, (Ibid) but does not specify how this will be enforced. In common with the Licensing Act 2003, Redbridge offers a very gender-neutral policy framework, leaving women open to harassment and abuse.

Violence Against Women Strategy

Redbridge has a similar attitude to VAW as many boroughs, treating it as an issue of domestic violence and some anti-social behaviour, and completely missing the issues of rape, sexual violence, or sexual harassment.

A brief search of Redbridge's online information on 'violence against women' produced five documents on protecting Council staff from violence, but nothing to help women living or working in Redbridge. The Council insists that it will tackle gender harassment, but there is little physical evidence of this occurring.

Richmond

Reported clubs in 2006: 1

Actual clubs: 1

Richmond's Licensing Authority claims that it does license one pole-dancing club in the borough, but was unable to give any more information. The borough also appears to be a pole-dance lesson hotspot, with Holmes Place gyms and two

studios offering lessons. Richmond has chosen to follow the Licensing Act 2003 legislation very closely, and mentions venues offering adult entertainment involving nudity only once.

Applicants must specify in their operating schedules if they propose to have regulated entertainment involving nudity or striptease or any other activity involving full or partial nudity, or sex related entertainment such as the showing of films or other recordings which are restricted for those over the age of 18.

Upon receiving a relevant representation, the Licensing Authority must be satisfied that the licensing objectives are met, particularly in relation to the protection of children from harm.

- Richmond, 2005

Richmond's adherence to The Department for Culture, Media and Sport's guidelines leaves little room for objections, unless relating to protecting children from harm or referring to anti-social behaviour.

Violence Against Women Strategy

Richmond Council appears to take a very legalistic view of its duty of care towards women in the borough, basing its Anti-Social Behaviour Strategy almost entirely on the definitions laid down in the Crime and Disorder Act 1998, which refer to incidents that could cause 'alarm or distress' which are perpetrated by one or more people who do not live with the complainant (HMSO, 1998). It does offer a reasonable degree of support for women and children escaping domestic violence, but seems to ignore women as consumers and travellers in the borough.

Southwark

Reported clubs in 2006: 1

Actual clubs: 0

Southwark is a residential borough with one in five inhabitants being under 15 years old. (*Statement of Licensing Policy, 2005*) This means that any clubs opening in the borough are likely to be sited in a residential area, close to families and young people. In its recent consultation on licensing policy Southwark referred to Westminster as a successful example of combining clubs offering adult entertainment with residential needs, and an aspirational example for Southwark. (Southwark, 2006)

However, Westminster's 20 clubs are clustered in a tightly restricted area away from the majority of residents and schools. Southwark has an entirely different commercial character, being more spread out, with areas of mixed commercial and residential use. Therefore any clubs opening in the borough are likely to have a more profound social effect by being in close proximity to a greater number of women living and working in the area.

The borough's *Statement of Licensing Policy* (2005) has some excellent points of best practice regarding women's safety, including requiring all entertainment bars and clubs to photographically log all customers, install CCTV and that 'no performance take place that is likely to stir up hatred or incite violence against any section of the public on the grounds of... gender'. This last policy is unfortunately not enforced by the Council, which has considered licences for two venues offering adult entertainment involving nudity in the last three years (Rembrandts in London Bridge and Blues Nightclub in Peckham). The Licensing Authority actually granted an adult entertainment licence to the owners of Rembrandts despite opposition, but the club was prevented from opening by Network Rail, who owns the lease. The application for Blues was eventually

refused after robust representations were made by residents and community organisations, including Eaves.

Southwark has in the past issued licences (in particular Premises licences for The Horniman and The Mudlark, both situated on Bankside) that explicitly state 'no adult entertainments of a nude physical nature shall be provided at the premises'. It would be a great reassurance to the local community if this caveat was added to all Premises licences as a matter of course, so that licences not including this restriction were the exception, not the norm.

Violence Against Women Strategy

Southwark does recognise the link between harassment and anti-social behaviour, and how this increases fear of crime. Although it supports licensing of clubs offering adult entertainment involving nudity, Southwark also operates several initiatives which offer benefits to women, including a 'Safer Southwark' partnership which offers advice on personal safety, and a 'Design away Crime' campaign to improve the design of public spaces⁹.

The Council claims that it is committed to reducing harassing behaviour that damages the quality of life of its residents, but despite the encouraging policies mentioned, the Council still granted a licence to a nude club that would operate close to a children's theatre, a major place of worship (Southwark Cathedral) and a busy transport hub used by thousands of women, completely disregarding their safety, comfort and quality of life.

Sutton

Reported clubs in 2006: 0

Actual clubs: 0

⁹ Details available at www.southwark.gov.uk.

Sutton is an outer London borough with a mainly residential character. Despite covering part of the M25, Sutton has not attracted clubs offering adult entertainment in the same way that Hillingdon has. Sutton has an unemployment rate of 4.1%, 25% lower than the national average (ONS, 2006), but women in the borough are paid 30% less than the average for London and the majority of jobs available to young women are in low-paid retail posts, making Sutton a prime target for sexual exploitation (Sutton, 2006).

Sutton currently lists no special conditions for nudity or striptease on any of its licences (*Statement of Licensing Policy, 2005*) and does not have a functional policy for dealing with any applications to offer adult entertainment involving nudity, beyond noting that such an application could cause 'concern' (*Statement of Licensing Policy, 2005*).

The borough is also very much on the side of the licensee, only requiring any licensees to attempt to control behaviour that is directly under their control (*Statement of Licensing Policy, 2005*). This means that licensees are not held responsible for the behaviour of men leaving lap dance clubs, a stance that is extremely concerning to campaigners and objectors.

Violence Against Women Strategy

Sutton Council does offer some support to women experiencing violence, including a 'safe page' website system similar to the initiative pioneered in Hillingdon. It also has policies around stalking and harassment, although these are restricted to a domestic violence setting.

The borough's local safety partnership (LSP) recognises the distress and cumulative impact that anti-social behaviour can cause, but unfortunately does not recognise harassment and sexual bullying as antisocial behaviour.

Tower Hamlets

Reported clubs in 2006: 0

Actual clubs: 8

Tower Hamlets is one of the most deprived boroughs in London, but is also the Licensing Authority for Canary Wharf, which has one of the highest rates of disposable income in the country (Tower Hamlets, 2005). In addition, Tower Hamlets neighbours more affluent City areas such as Old Street, Hoxton and Bank. Given these factors, it is unsurprising that Tower Hamlets has been a favourite of strip pubs and clubs for many years. The oldest strip venues are concentrated around the Hackney Road and Shoreditch Road area, and the recent Canary Wharf development has prompted the arrival of a Spearmint Rhino (St. Katharine's Dock) and Majingos (Marsh Wall) to cater for the tastes of entertaining City workers.

Licensing is about the control of licensed activities in licensed premises and the people in control of selling alcohol. Conditions are likely to be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.

In relation to all applications, however, **if** its discretion is engaged, the Licensing Authority will also consider the impact on the vicinity of the application.

- Tower Hamlets, 2005

There is also a high level of on and off-street prostitution in the borough, with police records estimating that 100 women per year are arrested for soliciting in the borough (Safe Exit, 2006). The unemployment rate for women in Tower Hamlets stands at 11.4%, almost twice that of the national average (ONS, 2007),

which makes it easy for 'adult' agencies such as Rainbow and the Tease Agency to recruit within the borough. (Websites, 2007)

Considering that Tower Hamlets has the largest number of lap dancing venues outside Westminster, it is concerning that the borough's *Statement of Licensing Policy* is weak on licensing adult entertainment involving nudity. The Policy merely says that such entertainment is one of a range of activities that could cause 'concern' (Tower Hamlets, 2005), and urges a presumption of over-18 admission only.

Tower Hamlets also claims that it has no idea of how many clubs offering adult entertainment involving nudity are currently licensed, meaning that eight venues have effectively disappeared off the official radar, with potentially disastrous consequences for women working in the clubs, and women living, working or socialising nearby.

Violence Against Women Strategy

Tower Hamlets has a strong Protection from Abuse Policy and is particularly concerned about harassment or abuse of vulnerable adults (*Local Area Agreement*, 2005). However its policy is tied too closely to the framework of carer abuse, and does not adequately protect young women who are coerced into the sex industry.

This report has given previous examples linking lap dance clubs with forced prostitution and sexual coercion, and Tower Hamlets is failing women in the borough by not planning policy development in this area.

The borough Council also identifies good practice relating to domestic violence as a priority aim, but like many other areas of London, does not protect women who are outside the family home or workplace. As two of Tower Hamlets'

licensed clubs are in Canary Wharf, it is imperative that the Council encourages anti-harassment campaigns among the business community so that women are not intimidated or bullied into joining 'boys' nights out' to progress in their careers.

Waltham Forest

Reported clubs in 2006: 0

Actual clubs: 0

Waltham Forest considers the prevention of alcohol-fuelled violence to be its prime focus, but does not consider the impact of this policy upon women, who are less likely to be the victims of alcohol-fuelled fighting, but more likely to be targeted for harassment, bullying or sexual violence. The Council's *Statement of Licensing Policy (2004)* suggests measures to improve safety such as toughened glass or plastic cups to prevent injuries during fights, but does not address what measures will be taken to minimise possible harassment from departing drinkers and clubbers. The Licensing Authority includes standard clauses on protecting children from harm and expects to see evidence that applicants intend to uphold the DCMS licensing objective on protecting children from harm.

The borough does have a policy of strict enforcement and eventual revoking of non-compliant licences, but does not specifically monitor the number of adult clubs. The borough does not currently license any clubs.

Violence Against Women Strategy

Waltham Forest is aware of some of the issues facing women experiencing violence. The borough's CRP is committed to supporting women escaping domestic violence, with domestic abuse incidents representing 10% of all recorded crime in the borough. (Waltham Forest, 2005a) The Council is also concerned with the issue of harassment, including minor violence in public

spaces. However, the borough has seen annual increases of up to 22% in numbers of harassment incidents reported (Waltham Forest, 2005b), which suggests that women in the area may be at increased risk of social harassment. As other boroughs have shown, this risk increases with the establishment of clubs offering adult entertainment involving nudity.

Wandsworth

Reported clubs in 2006: 0

Actual clubs: 0

Wandsworth currently licenses no clubs as far as the Licensing Authority is aware (Interviews, 2006). In common with several other London boroughs, Wandsworth's Licensing Team is finding monitoring adult clubs under the current legislative restrictions problematic. (Ibid) As a borough with no adult licences, Wandsworth employs minimal standards of compliance with the DCMS Licensing Objectives, including standard clauses on protecting children from harm in the case of entertainment of an adult or sexual nature. (Wandsworth, 2005)

In addition to normal requirements to applicants, Wandsworth's Licensing Authority also pledges to undertake a letter-drop to include as many nearby residents as possible in the consultation of a new licence application. This is an excellent initiative, as many of the basic requirements of applications (appearing in the Public Register, advertising on a Council website or posting applications in the venue window) presuppose a certain level of mobility on the part of residents and visitors, potentially excluding any part of the local community with accessibility issues. However, the Authority still insists that any objection must be based on at least one of the four Department of Culture, Media and Sport Licensing Objectives.

Violence Against Women Strategy

Wandsworth has a strong voluntary sector and offers a range of local community support to women who have experienced domestic or sexual violence (Wandsworth, 2006). Like Tower Hamlets and Lambeth, Wandsworth is a 'young' borough. It has a highly transient population with one fifth of current Wandsworth residents having moved addresses since the last calendar year (Wandsworth, 2003). This raises the possibility of a potentially large number of vulnerable young women with few support links.

Westminster

Reported clubs in 2006: 20

Actual clubs: 20

Westminster has the highest concentration of lap dancing venues in London, and credits the nude entertainment industry with helping to shape the unique character of Soho, which provides a sizeable income for the borough.

In its Mission Statement Westminster's Licensing Authority says it wishes to work closely with "licensees and anyone else affected by the Act" (Westminster [online], 2006a), but this does not appear to include women or women's organisations. In its *Statement of Licensing Policy* (2005a), the Licensing Authority stresses that it must grant all applications in the absence of any objections.

However, the borough's Licensing Authority recognises the inherent risks posed to women's safety and wellbeing by venues offering nude entertainment, including anti-social behaviour, increased prostitution and touting, and incidences of coercion on-site (Westminster, 2005a). These are conclusions supported by previous research into the links between adult venues, the sex industry and violence against women (Bindel, 2004) and represent a good model for other Licensing Authorities.

Premises providing sex related entertainment are likely to constitute a public nuisance if they are in or near residential areas, or other areas which are not already associated with entertainment; particularly if they are close to schools, places of worship or community facilities. Their clientele often arrives and departs in large groups. Premises offering sex-related entertainment have a cumulative effect particularly if they are clustered together. This is irrespective of any visual displays that indicate the type of entertainment on offer which, only if judged to be indecent, can be regulated by the Indecent Displays Act 1981.

- Westminster, 2005b

As a result, the Licensing Authority states that, although its role is not as an authority of censorship, it will not consider any further applications for venues offering adult entertainment involving nudity unless there is an exceptional reason for doing so. (Westminster, 2005)

A large number of Westminster's lap dance venues were granted their post-Licensing Act licences as a result of 'Grandfather Rights' (DCMS, 2005). This was a clause set down by The Department for Culture, Media and Sport allowing all previous licensees to convert their licences 'as is' without any additional restrictions being added. As a result there is a great deal of variation between licences, with venues adjacent to each other having completely different operating schedules. As a result tracking licences is difficult, particularly as Westminster only dispenses a limited 'pool' of adult licences, due to pressure from local resident groups. This has resulted in the borough being more likely to be targeted by unlicensed venues attempting to profit on the Soho reputation.

Violence Against Women Strategy

Westminster is very much a residential borough, despite its commercial character. The majority of the Council's decisions stem from resident comfort and opinion. As a result, the Council is opposed to the new Home Office ruling on 'mini-brothels'¹⁰ as it would cause discomfort to residents, and potentially create blocks of 'super-brothels' run by 'criminal gangs', but overlooks the women working in these brothels who may be at risk, and also appears to turn a blind eye to the current existence of 'walk-up' brothels in Soho (Westminster, 2006c).

The borough Council offers very little statutory assistance for women escaping domestic violence, and has no online signposting to voluntary agencies. The borough does take action against some VAW issues, including serving an ASBO on a man for putting up cards advertising prostitution (Westminster, 2006d) and focusing on the damaging cumulative impact of venues that sexualise women, "irrespective of visual display". (Westminster, 2005a) This is a departure from the attitudes of other Councils, which dismiss any negative impacts of sexualised venues, provided that they maintain a tasteful outside décor.

¹⁰ Flats or buildings where up to three women engage in prostitution

Will lapdancing ever be a violence against women issue?

Despite recent reluctance to commit to a robust anti-violence against women policy regarding lapdancing, the policies of Local Authorities may be ready to change. The Mayor of London recently stepped into the debate surrounding the licensing of Rembrandts club in Southwark. The Mayor offered to help back a £16,000 legal challenge against the club's opening, claiming that the club 'had the potential to harm' the Greater London Authority female staff who would be working in close proximity to the new club (press release 2006). The application was eventually passed despite opposition, only to be dropped when Network Rail, who owned the building, refused to allow the venue to be converted to a club.

The potential backlash is hitting club owners too. SFI Group (the owners of For Your Eyes Only and the Slug and Lettuce chains) recently tried to sell off the FYEO brand, but could find no buyers despite the turnover of the chain because banks no longer wish to be involved with a subject as unstable as nude entertainment.

Further afield, a women's organisation in Ireland has successfully launched a no-lapdance charter for businesses. The Dublin-based Ruhama group draws explicit links between lapdancing and the global sex industry, and has developed a charter for businesses that lapdance clubs try to target as corporate clients. The charter signatories pledge that no company employee shall enter or spend money in a club offering adult entertainment involving nudity while representing the company. To date 50 businesses have signed up, and the Ruhama Charter could potentially be recreated in the UK with similar success. (Ruhama, 2006)

Councils are slowly coming to the realisation that violence against women in all its forms is no longer a 'minority' issue, but a key concern in policy and practice. It remains to be seen how the Licensing Act 2003 will affect distribution, and

more significantly, the cultural attitude towards clubs offering adult entertainment involving nudity. For the foreseeable future though, it falls to local communities and advocates of women's rights to continue lobbying against such clubs and to monitor the rise and fall of clubs that have such a negative impact upon women.

Recommendations

The growth of lapdance in London 2003-2006

Given the increase in adult venues in London, and the correlating increase in positive publicity around pole-dancing, lap dance and burlesque, we must conclude that the debate around these 'soft' forms of the sex industry has shifted in the last three years to become divorced from prostitution and abuse in the mind of the public.

In order to situate these activities as a form of violence against women and a tool for continuing inequality, these forms of entertainment must be reconnected with the sex industry.

Voluntary organisations and community campaigners

- Begin lobbying for local authorities and the media to describe adult venues correctly as sex establishments.
- Form partnerships with local residents to monitor current clubs and new applications.

Local government

- Undertake gender impact assessments as required by the Gender Equality Duty to assess the effects of adult venues in the local community.
- Revise current licensing guidelines to include sections on worker rights as a condition of licensing (see Appendix 3 for more guidance).
- Revise current conceptualisation of local night time economy strategy to reduce gender inequality.
- Designate public areas as 'zero tolerance' zones for violence and harassment.
- Adopt an overarching violence against women strategy incorporating all aspects of violence against women, whether it occurs in a domestic environment or a social space.

The Licensing Act 2003: Changing the landscape

The Department of Culture, Media and Sport's decision to treat all licensed premises as homogenous is a worrying precedent, as it is clear that venues offering adult entertainment involving nudity function and interact within the local community in a unique way. In addition, the Licensing Act 2003 has made it increasingly problematic for Local Authorities to monitor clubs and applications in their jurisdictions. In order to end social inequality and to give all residents, workers and visitors the same opportunities to thrive and to use the late night economy, the DCMS will need to change its stance to recognise that adult venues need to be treated differently, and carefully monitored.

Voluntary organisations and community campaigners

- Co-ordinate evidence-based campaigns to change the Department for Culture, Media and Sport's stance on adult venues.
- Use this report as a starting point to map venues in your local area and encourage local Licensing Teams to monitor clubs and applications.

Local government

- Form partnerships with local communities to improve monitoring, including a licensing 'hotline' to log anonymous complaints.
- Keep local communities up to date with any forthcoming or current applications for adult entertainment involving nudity via letter-drops and email alerts.

Making objections

The enactment of the Licensing Act 2003 has severely restricted the timeframe and scope of objections, reducing the deadline for representations to 28 days after the first posting of applications and only allowing objectors from areas 100m from the proposed development to make representations, effectively silencing concerned women's organisations and citizens' rights groups. In addition, the Department for Culture, Media and Sport does not consider increased risks of violence against women to constitute grounds for an objection, so representations must be made on the basis of harm to children or anti-social behaviour.

Voluntary organisations and community campaigners

- Form partnerships with local community groups and run awareness sessions for residents and business owners on their right to object.
- Provide information and expertise for objectors.

Local government

- Monitor representations made and those which are refused to gather information on whether current licensing policies are effective.
- Consider widening the definition of 'proximity' mentioned in the Licensing Act. For example, in Kensington and Chelsea, "vicinity" is defined as "to mean a distance of around 100m although representations may be entertained by businesses or individuals living or situated further away if they are within the premises' "sphere of influence" (this might include residents who live on a route that is used by the patrons of a venue as they disperse, for example, heading for public transport)." (Kensington and Chelsea, 2004)

Dancing in the streets: the role of Licensing Authorities and borough Licensing Policy

The different approaches and needs of the Borough Licensing Authorities in London illustrate the need for greater local control within the Licensing Act and the Department for Culture, Media and Sport's guidance.

Some boroughs have interpreted the Act as requiring them not to track or monitor adult venues at all, despite their unique effect and impact on the local community. Other Licensing Authorities have criticised the new legislation for removing their ability to refuse applications on the grounds of being a null borough. This evidence would suggest that the Licensing Act should be viewed as a work in progress, rather than a complete piece of legislation.

Voluntary organisations and community campaigners

- Develop campaigns to lobby the local Licensing Authority on implementing a standing condition to all new licence applications that they will not introduce striptease or lap dancing into the venue. (See pages 59-61 of the report for more information).
- Undertake monitoring of any existing adult licences in the immediate area and record the dates and details of disturbances, anti-social behaviour or attacks. If possible, approach any local newspapers to ask any women who have experienced harassment to contact resident groups.

Local government

- Take a proactive stance in aggressively monitoring existing licences and develop a standard schedule of conditions covering dancer-client interaction, dancer welfare and procedures to ensure that no coercion or trafficking takes place. (See Appendix 3).
- Revise current Licensing Policy to acknowledge striptease, lap dancing and adult entertainment involving nudity as being part of the sex industry. Develop appropriate exit strategies with voluntary sector agencies.

Appendix 1

Comparison of licensed club distribution in London 2003 – 2006

	2003	2006
Barking & Dagenham	0	0
Barnet	0	0
Bexley	0	0
Brent	1	1
Bromley	0	0
Camden	7	6
Corporation of London	0	0
Croydon	1	1
Ealing	1	1
Enfield	0	0
Greenwich	2	4
Hackney	0	0
Hammersmith & Fulham	1	1
Haringey	2	0
Harrow	1	1
Havering	2	0
Hillingdon	6	5
Hounslow	0	0
Islington	2	1
Kensington & Chelsea	0	0
Kingston upon Thames	0	0
Lambeth	0	0
Lewisham	0	0
Merton	0	0
Newham	4	4
Redbridge	2	2
Richmond	1	1

Southwark	0	1
Sutton	0	0
Tower Hamlets	8	0
Waltham Forest	0	0
Wandsworth	0	0
Westminster	20	20
	61	49

Appendix 2

Making objections to licensing applications and policy

(For use by community groups)

Information and planning

The first step in planning objections is to be well-informed. The new licensing process requires any applicant planning an adult club to abide by specific procedures to advertise their intentions. Failure to do so would jeopardise the application.

Most Licensing Authorities require:

- All applicants to place a A4 size notice (usually pale blue paper with text in 16 point font) in a prominent position in the property mentioned in the licence
- Copies of the notice to be available at the Council offices and a public building (usually a library)
- Details of the application to be available on an online Licensing Register (if kept) and in a hard copy version of the Register (usually available for public viewing at the local Town Hall)
- All applicants to place an advertisement in their local paper (this is not required in all boroughs)

Many local Licensing Authorities also keep a searchable register of new applications online. If possible, organise members to monitor local papers and vacant premises for licence applications.

Note: You only have 28 days to make an objection to your local Licensing Team.

In this time you will need to gather information to evidence your objection, such as how many children and woman pass the proposed venue, current noise levels and residents' opinions. You can also use information in this report to add weight to your objection. If you don't have any evidence, your objection may be considered frivolous or vexatious, and will be ignored.

If no objections are made and the Licensing Authority is satisfied with the application, a licence will be granted.

The Licensing Authority is legally obliged to do this, making opposing these applications a priority for the local community. If an opposition is made, the application will be heard by the Licensing Authority, Police and other interested parties.

Who can object

Licensing applications are open to opposition from any person who lives or works in the vicinity of the premises, or anybody who represents a person or group of people who live or work in the vicinity of the premises ('nearby' generally being considered as within 100 metres, but this is decided by the authority).

Any opposition concerning the application must be made in writing within the 28-day consultation period. Other 'interested parties', such as the Police, local schools or child protection agencies may also be named by a Licensing Authority as being able to object. It is worth asking your local Licensing Authority about this.

As the current legislation stands, only residents in the immediate vicinity are permitted to raise objections.

Representations must relate to one or more of the four licensing objectives set under the Act:

1. the prevention of crime and disorder
2. public safety
3. the prevention of public nuisance
4. the protection of children from harm (DMCS, 2005)

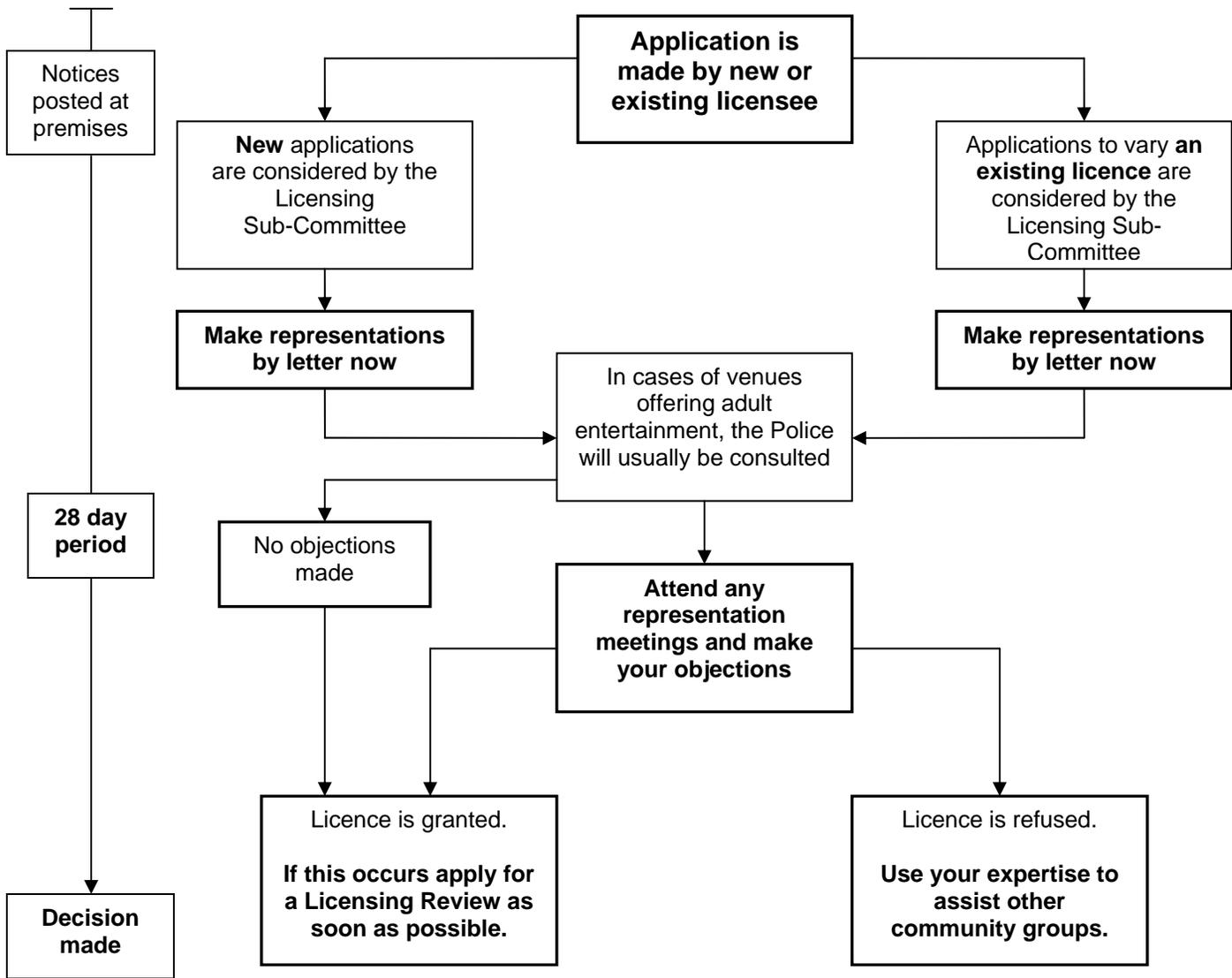
No opposition can be made outside of these objectives, unless otherwise stated by the relevant Licensing Authority in its Statement of Licensing Policy.

What to do if a licence has already been issued

If a representation is unsuccessful the issued licence can be challenged at a Magistrate's Court and an appeal against it launched. However, it is important to be aware that, unlike Licensing Panels, Magistrates can award costs to the unsuccessful party. Any objectors would also have their names made public as part of the licensing proceedings.

The Licensing Act 2003 enshrines fewer restrictions for licensees who follow the rules, and more restrictions for the troublesome minority. If a resident or several residents were to complain about a venue, the Licensing Authority is free to take action, including imposing monitoring, covert visits and enforced crime and noise reduction targets.

The process of new and existing licences



It is important to remember to provide evidence to support your objection, and to submit a written objection as early as possible, as some Licensing Authorities will not allow residents or community groups who have not made written objections to speak in licensing meetings.

Useful evidence for making an objection

- Letters from local schools, businesses and residents
- 'People traffic' counts showing how many women and children would pass the venue at given times of the day (for example the school rush, at 6pm and at 10pm)

Statistics:

- Research undertaken by the Lilith Project in 2003 in Camden found that in the years following the opening of a lap dance club on Tottenham Court Road, **reports of female rape increased by 50%** and **reports of sexual assaults against women increased by 50%**. (Eden, 2003)
- The numbers of reported rapes around lap dance clubs is three times the national average. (Eden, 2003)
- Women feel more threatened travelling at night than men, and are more likely to restrict their travel plans based on fear of crime. (TfL, 2004)

Quotations:

'...the area around the University Street and Tottenham Court has now been denigrated into a 'no go' area for female shoppers and male passers-by who are often accosted by pimps and other strip clubs offering sexual services and favours.' (Report of Director, 2002)

"Prostitution is rife. All the clubs have strict no-touching rules, but they can't stop the girls from saying: 'Hey, I knock off at two, how about I see you back at my place then?' Guys I know who would never dream of picking up a hooker on the street seem somehow to think it's fine because he's met this girl in a bar, even if she was wearing no clothes and asking for money.' (The Daily Telegraph, 2006)

'...if you're a single woman expect to be hassled by one of the many groups of blokes who seem to hunt in packs. I always feel an underlying sense of tension in the pubs and I've seen more than an average amount of trouble for an area.' (Anon, 2001)

Letter to a Licensing Authority

Your address
Your borough
Your postcode

Date

Person in charge
Licensing Committee
Address
Postcode

RE: Current application for 'Jiggles' club, Dagenham

Dear [person in charge]

I am writing on behalf of [your organisation] to lodge an objection against the licence application for 'Jiggles' club on ____Street. The application poster makes it clear that this club will be offering adult entertainment involving nudity, and I wish to exercise my right to object as a resident/business owner/representative of a community group in the vicinity of the proposed licence, in accordance with the Licensing Act 2003.

I am objecting on the grounds that the proposed licence does not adhere to [either one of several of] the following objectives as defined by the Department for Culture, Media and Sport:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

[Explain how the application will not meet these objectives. Give evidence and include dates of disturbances or problems if the application is for an existing licence]

Yours sincerely,

Legal grounds for objecting

From 2007 all public bodies, including Councils and Licensing Authorities, will be subject to the Gender Equality Duty (GED). You can use the Duty to argue that your right as a woman to access local services is being failed by the Licensing Authority's choice to support lap dance and strip tease. Your local authority has a duty to support the different needs of men and women in the borough, and in the case of clubs offering adult entertainment involving nudity, you could argue that the Licensing Authority is privileging the rights of one gender over another, by licensing venues that have proven detrimental effects on the well-being of women and girls. You could quote this research to evidence your argument.

To take this point further, the Duty also charges Councils to tailor other services and strategies, such as transport and crime reduction, to the needs of women. Women are concerned about personal safety when travelling at night or on public transport (Transport for London, 2004) and are more likely to be targets of rape, sexual harassment and sexual opportunism. The areas around lap dancing clubs have higher numbers of reported rapes, are hotspots for men soliciting for women working in prostitution, and are likely to produce large numbers of men in groups who are drunk, sexually stimulated, and far more likely to engage in sexually threatening behaviour. These men will then use public transport to go home, and woe betides any women they meet. (Eden, 2003)

Therefore licensing venues offering adult entertainment involving nudity breaches the obligations laid down by the Gender Equality Duty.

Setbacks to objections

Whereas previous legislation had allowed women to bring outside expertise, including feminist research, to licence objections in their local area, the Licensing Act 2003 has narrowed the boundaries of representations significantly. In some boroughs, only representations from a 100 metre radius of the club are being

considered (Interviews, 2006). In one recent case, the Lilith Project was approached by a concerned resident to speak at an objection meeting, and was informed by Council officials that any representative of the Project would have to remain silent throughout the proceedings as an ineligible party, because the Project was not resident in the objection zone.

Long term objectives

Dealing reactively with applications and reviews as they come up is obviously very labour-intensive, and may be difficult for a small community group to sustain. Your group or organisation could opt to take a more proactive approach and try to influence policy at a governmental level.

1. Influence your MP

Your local MP has to listen to your concerns. Find out who your MP is and go to his or her constituency surgeries and make your concerns known. If it is near election time, go along to hustings (the debate and question sessions) and ask questions about each candidate's attitudes on lap dancing.

2. Respond to consultations

Most Licensing Authorities and the Department for Culture, Media and Sport are charged to update and review their Licensing Policies every three years. Find out when your local consultation is and submit a response.

3. Raise awareness

Help your members to understand how lap dancing and striptease are part of the sex industry, and show how they impact upon the lives of women.

The Lilith Project is happy to meet with any community groups planning objections to adult venues in London, and will endeavour to support any UK representations wherever possible.

Appendix 3

Example of Licensing Policy best practice (borough with adult clubs)

Havering Licensing Authority *Statement of Licensing Policy (2005)*

Appendix 7

Conditions relating to specific premises, for example lap-dancing venues

The Licensing Authority considers that additional safeguards need to be in place for the protection of the performers and the vulnerable, in particular children, who may resort to premises offering this type of entertainment.

Generally, performers are usually presented on an on-going basis. Depending on the venue, performers dance individually either on a stage or a podium and there may be concurrent performances to customers at tableside and in booths. Dances usually last for the duration of one record during which the performer removes their clothing to full nudity to coincide with the point at which both the record and performance end.

The Licensing Authority will look at each application to operate such premises on an individual basis. It will take into account the suitability of both the applicant and the premises when assessing the appropriateness of the application. The Licensing Authority will take into account how the premises are currently occupied and used, in addition to the development potential of the existing premises to meet the licensing conditions in all respects.

General

1. Physical changes to premises will be required including the construction of a separate performing area as dancing stations for the performers. There will be separate customer lounge areas, again with appropriate chairs and furnishings. Separate dance booths may also be provided. Any alterations must take place in consultation with the appropriate authorities and any requirements of the licensing authority.

2. **A separate area will be provided for the dancers' own facilities with changing rooms, showers etc.** A housemother is to be appointed and will be directly responsible for the dancers' welfare, times of arrival and departure, point of entrance to and exit from

the club and ensure that dancers leave the club by a separate exit from that used by customers.

3. Dancers will be expected either to use known persons to collect them or taxis arranged through and known by the club managers. Dancers will not be permitted to leave the building with customers or to be given lifts by customers.

4. Rules of conduct for dancers and premises must be put in place and rigorously enforced. Dancers will all be subject to induction procedures, which will include familiarisation with house rules and general requirements of conduct. A copy of the proposed rules must be supplied to the authority and agreed beforehand. Dancers will be made aware that rules apply not only during their performances but also during the entire time that they spend on the club premises.

5. A full training programme is to be provided for all staff, this is to include the recruitment and training of the dance team and the constant monitoring of dancers, staff and customers on an on-going basis in order to ensure the maintenance of high standards.

6. A full management team must be put in place supervised by the designated premises supervisor who will have all necessary personnel to carry out the management function including kitchen staff, bar staff, waitresses, door security and dancers. All security staff must either be registered by the Council or licensed by the Securities Industry Authority.

7. The provision of appropriate music by a disc jockey (DJ) is an integral part of the performance. The DJ controls the times of the record tracks, which determine the length of the dances (typically 3 to 4 minutes with a maximum of 5 minutes). The DJ will also call the names of the dancers throughout the evening to perform on the stage and on the podiums. **The DJ must be trained to be aware of any unusual or incorrect behaviour by dancers, customers, members of staff or other persons on the premises. Similar training will be given to all other members of the staff including dancers so that there will always be a substantial security presence within the venue.**

8. The premises must be equipped with close-circuit television both internally and externally and this arrangement will be run in consultation from time to time with the Licensing Authority, the Police and the Borough Crime Prevention Design Advisor with equipment being changed or up-graded as necessary.

Special Conditions: Stage, tableside and booth dancing

Premises

9. The outside appearance of premises offering this type of entertainment must be low key without obvious posters or signs advertising the use inside and with discreet signage. Music is to be played at a level, which permits conversation, and all necessary sound attenuation measures will be taken to ensure that no noise nuisance is caused to neighbours. Suitable air conditioning and/or ventilation will be provided.

10. There shall be no sexually explicit external advertising likely to cause offence as to the nature of the activity being held on the premises.

11. A clear copy of these conditions shall be exhibited at all times in or near the performers allocated changing areas. These conditions shall be protected against defacement.

12. A notice outlining conditions 6, 25 and 26 shall be clearly displayed at each customer's table and at the entrance to the premises.

13. Performances will only take place in designated areas of the premises. These areas are to be marked on plans deposited with the Licensing Authority. A performance must not take place outside the designated areas.

14. The entertainment and performance area shall not be visible from the highway (includes footways).

15. The premises will be equipped with a closed circuit television system.

16. No person other than the performers and authorised members of staff shall be permitted in the changing room(s).

17. No spouse, partner or friend of the performer shall be allowed in the performance area without the management's approval.

18. No photographic, filming, recording or electronic transmission of performances shall take place without the prior consent of the management.

19. To the extent that the law permits striptease, it shall be deemed in these conditions to apply to striptease by the lap/table dancer. On the days that entertainment includes striptease, only those performers engaged by (Company Name/ Licensee) shall be permitted to perform striptease.

20. Any performance will be restricted to dancing and the removal of clothes, there must not be any other form of sexual activity or the use of sex articles as defined in the Local Government (Miscellaneous Provisions) Act.

21. Striptease shall only be permitted at premises holding a premises licence, including the appropriate licence for regulated entertainment.

22. The premises licence holder must ensure that only Door Supervisors either registered with the Council or licensed by the Securities Industry Authority are employed at the premises.

Licensees

23. The licensee must ensure that all performers:

- **Provide documentation proving they are over 18 years of age,**
- **Provide documentation proving they are legally entitled to work in the United Kingdom.**

24. If the performers are provided by an agency, they must produce documentation as required in 13, above. Details of the agency and performer are to be retained.

25. The licensee must prepare personal files for all the performers, including agency staff. These must be retained for at least 6 months after their employment has been terminated. All personal files are to be made available to the staff of the Licensing Authority, upon request, if required for investigative purposes.

Performers

26. The Licensing Authority will enforce either a minimum distance of one metre between dancers and customers or a “no touching” rule which is unequivocal. Both the customer and dancer know that there must be no physical contact throughout the performance thus ensuring intimacy without contact. The only exception is either at the beginning or at the end of a performance, when the performer can accept money by the customer placing money in a garter worn by the performer, or accepting money from the customer's hand into the hand of the performer. No money must change hands during the performance. The licensee shall ensure that gratuities are not thrown at any performer.

27. The only time any physical contact is allowed with a customer is when the performer introduces him/herself (handshake/ kiss on the cheek) at the start of the performance and again at the conclusion of the performance, or when a tip may be given to the performer.

28. The striptease entertainment shall be given only by performers/entertainers who are engaged exclusively for that purpose and have been provided with a copy of the performance code of conduct by the Licensee.

29. No performer shall perform with or towards any other performer and shall make no physical contact with another performer.

30. Tableside performers must remain standing during a performance.

31. At the end of a performance, performers must re-dress before leaving the performance area.

32. No performer shall give or accept telephone numbers from members of the audience.

33. To ensure that no performer makes any arrangement to meet a customer they will be obliged to leave the venue by an exit approved by the management of the premises.

34. No performer shall be allowed to work if, in the judgement of the Licensee, they appear to be under the influence of illegal substances.

35. If performers are invited to have a drink with a customer the performer shall remain clothed during this period. No performance is to be undertaken during this time.

36. Performers shall be provided with changing room(s). The changing rooms are to include make-up lighting and mirrors.

36. On those days where the entertainment is by way of striptease, only those performers engaged by the licensee of the premises or their representative shall be permitted to perform striptease.

37. The venue will ensure that dancers are either collected by known drivers or have a lift home with a friend or colleague. Performers will be supervised to their vehicles, either personally or by CCTV.

Customers

38. Should a customer touch a performer, the performer may issue a verbal warning. If this happens again the performer shall immediately withdraw and report the matter to the Duty Manager who will take the appropriate action. At no time will the performer respond physically to such provocation. The Duty Manager, who if necessary may be supported by a Door Supervisor, will deal with the situation.

39. No customer shall be admitted to the premises if, in the judgement of the Management, they appear to be under the influence of illegal substances.

40. All customers shall be made aware of the “house rules”.

41. Whilst striptease is taking place no customer under the age of 18 shall be allowed on any part of the premises licensed for the sale of alcohol and a notice shall be displayed in clear terms at each entrance that “NO PERSON UNDER 18 YEARS OF AGE TO BE ADMITTED”.

General

42. The Licensing Authority reserves the right to amend, alter and vary the conditions relating to these types of premises, as it thinks fit.

Available online at

http://www.haverling.gov.uk/media/pdf/3/m/Licensing_Policy_Final1.pdf

Appendix 4

Example of Licensing Policy in a no-venue borough

Kensington and Chelsea *Statement of Licensing Policy (2004)*

NUDITY AND STRIPTease

16.1 Where the activities specified in an operating schedule include striptease or any other kind of nudity (for example, topless waitresses) the Licensing Authority will take into consideration the increased risk to the promotion of the licensing objectives. In particular, the Authority will expect the applicant to have given additional thought to the promotion of the licensing objectives in relation to the protection of children and the prevention of crime and disorder.

16.2 Where premises licence applications include striptease or any other kind of nudity, the Licensing Authority will have particular regard to the location of the premises in relation to places of religious worship, schools, youth clubs or other premises where significant numbers of children are likely to attend.

16.3 In order to promote the licensing objectives, where the discretion of the Licensing Authority is applied through the receipt of relevant representations and grants premises licences that include striptease or any other kind of nudity it will generally impose conditions relating to the following issues:

- the location within the premises where the activity takes place
- the absence of advertising the activities outside the premises
- the measures taken to ensure no person under 18 enters the premises
- the measures taken to ensure that the activities inside the premises cannot be seen from outside the premises
- the position of the performers' dressing rooms in relation to the area in which they perform
- physical contact between performers and customers

16.4 All applications involving striptease or nudity of any other kind will be considered on their own merits but particular regard will be given to this section of the policy statement.

Available online at:

<http://www.rbkc.gov.uk/EnvironmentalServices/Licensing/licensingpolicy.pdf>

Appendix 5

Example of Licensing Policy conditions in venue offering 'table-dancing and striptease'

Southwark Licensing Authority Licence no. _____

1. On those days where the entertainment is by way of striptease, only those dancers engaged by _____, shall be permitted to perform striptease.

2. All striptease performers shall be provided with a copy of the performer's code of conduct upon engagement

3. Tableside striptease shall only be performed in the area of the club as marked on any deposited plans.

4. There shall be no tableside striptease performances to customers seated at a bar, or to standing customers.

5. There shall be no physical contact between customers and the striptease performer except for the placing of money or moneys worth in a garter, or from the customer's hand to the hand of the performer at the beginning or at the conclusion of the performance.

6. A notice outlining condition 5 shall be clearly displayed at each customer's table and at the entrance to the premises.

7. On any day when tableside striptease performances are taking place, no performer shall dance with or towards any other performer, and shall make no physical contact with another performer.

8. Tableside striptease performers are to remain standing during a performance of striptease

9. Striptease performers are to re-dress at the conclusion of a performance and are to remain fully clothed whilst acting in the capacity of host or hostess

10. There shall be a minimum charge for entertainment by way of tableside striptease of £10 per music track

11. On those days when public entertainment is by way of any form of striptease, no person under the age of 18 years shall be allowed to enter or remain on the licensed premises. A clear notice shall be displayed in those terms in a prominent position at the entrance, so that persons entering can read it.

12. On those days when public entertainment is by way of striptease, Security Industry Authority registered door supervisors shall be employed on the premises

during its opening hours, and permanently employed in the bar and at to be permanently employed at the entrance to the public toilets.

13. The proprietor/director of the company is to ensure that prior to employment, all performers provide documents proving that they are over 18 years of age. Such documents are to be copied and retained on the performer employment file. 14. The proprietor/director of the company is to ensure that prior to employment all performers provide documents proving that they are legally entitled to work in the U.K. Such documents are to be copied and retained on the performer employment file.

15. All performer employment files are to be retained for a period of at least 6 months after employment is terminated. All files are to be made available to the statutory authorities upon request if required for investigative purposes.

16. Where the proprietor/director employs performers from an agency, the performers must provide the relevant documentation as required in conditions 13 & 14. Details of the agency providing the performers are to be made available to the statutory authorities upon request.

17. The whole of the venue, excluding performers locker areas, is to be monitored by CCTV. This system to be installed maintained and operated as agreed with a Police crime prevention officer. The recordings are to be retained for a period of 28 days. The tapes are to be made available to the statutory authorities upon request.

18. Prior to employment all performers are to be given a copy of the venue code of conduct. This code of conduct is to be rigorously enforced by the venue management.

Available online at

<http://213.86.249.167/Licensing/LicenceGrantedDetails.asp?systemkey=891>

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