

Agenda



Meeting of Licensing Committee

Date: Wednesday, 2 February 2022

Time: 10:00

Format: Zoom Video Conference

Contact: Lynn Straker, Committee Officer
Email: lynn.straker@west-dunbarton.gov.uk

Dear Member

Please attend a remote meeting of **Licensing Committee** as detailed above.

The Convener has directed that the powers contained in Section 18B of the Civic Government (Scotland) Act 1982 state that as the meeting cannot be held in person because of a reason relating to coronavirus, Members and parties to the proceedings will attend this meeting of the Licensing Committee remotely.

The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:

Councillor Jim Finn (Chair)
Councillor Karen Conaghan
Councillor Ian Dickson
Councillor Caroline McAllister
Councillor Jonathan McColl (Vice Chair)
Councillor Lawrence O'Neill
Councillor Brian Walker
Vacancy

All other Councillors for information.

Date issued: 18 January 2022

Audio Streaming

Please note that the sound from this meeting may be broadcast live via the Council's internet site. At the start of the meeting, the Chair will confirm if all or part of the meeting is being audio streamed.

If you have any queries regarding this and, in particular, if you believe that the use of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Peter Hessel, Chief Officer – Regulatory and Regeneration on 01389 737800.

LICENSING COMMITTEE

WEDNESDAY, 2 FEBRUARY 2022

AGENDA

1 STATEMENT BY THE CHAIR

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

4 RECORDING OF VOTES

The Committee is asked to agree that all votes taken during the meeting will be done by roll call vote to ensure an accurate record.

5 MINUTES OF PREVIOUS MEETING

5 - 8

Submit for approval, as a correct record, the Minutes of Meeting of the Licensing Committee held on 1 December 2021.

6 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

**7 LICENSING OF SEXUAL ENTERTAINMENT VENUES
CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

9 - 52

Submit report by the Chief Officer – Regulatory and Regeneration on the responses received to the consultation on the licensing of sexual entertainment venues and to determine whether a licensing regime should be introduced.

8/

8 EXCLUSION OF PRESS AND PUBLIC

53 - 54

The Committee is asked to consider passing the following resolution prior to consideration of the undernoted items of business:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held via video conference on Wednesday, 1 December 2021 at 10.07 a.m.

Present: Councillors Ian Dickson, Jim Finn, Caroline McAllister, Jonathan McColl and Brian Walker.

Attending: Raymond Lynch, Section Head (Licensing); Robert Mackie, Senior Officer (Licensing Services); and Lynn Straker, Committee Officer.

Also Attending: Constable Raymond Borland, Police Scotland.

Apology: An apology for absence was intimated on behalf of Councillor Karen Conaghan.

Councillor Jim Finn in the Chair

STATEMENT BY CHAIR

Councillor Finn, Chair, welcomed all those present to the meeting which was being held using video conference format. He adjourned the meeting until 10.23 a.m. to allow for all Members and external attendees to join the meeting.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

RECORDING OF VOTES

The Committee agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

MINUTES OF PREVIOUS MEETINGS

The Minutes of Meeting of the Licensing Committee held on 26 October 2021 were submitted and approved as a correct record.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

APPLICATION FOR GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE

Name and Address of Applicant	Date Applied
Mr Michael Meechan Flat 3/2 3 Cronin Street Dumbarton G82 1AR	30 September 2021

A report was submitted by the Chief Officer – Regulatory and Regeneration concerning an Application for Grant of a Taxi/Private Hire Car Driver's Licence for the above named person.

Members then heard from Police Constable Raymond Borland in relation to the letter of objection which had been submitted by Police Scotland, the Section Head (Licensing) and the Senior Officer (Licensing Services).

Mr Meechan was given an opportunity to address the Committee in support of the application and was heard in answer to Members' questions.

DECIDED:-

Following consideration, the Board agreed that the application be granted.

Note: Councillor Brian Walker left the meeting during consideration of this item.

APPLICATION FOR RENEWAL OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE

Name and Address of Applicant	Date Applied
Mr Alexander Mullen Flat 1/2, 12 Boon Drive Glasgow G15 6AT	26 March 2021

A report was submitted by the Chief Officer – Regulatory and Regeneration concerning an Application for Renewal of a Taxi/Private Hire Car Driver's Licence for the above named person.

Police Constable Raymond Borland intimated that the application had been withdrawn and therefore did not require consideration.

EXCLUSION OF PRESS AND PUBLIC

Having heard the Section Head (Licensing) in relation to the undernoted item of business, the Committee agreed to approve the following resolution:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

APPLICATION FOR GRANT OF A TEMPORARY TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE

Name and Address of Applicant

Date Applied

John Paul Hunter
No 24 Ladyton Estate
Bonhill
G83 9DJ

26 August 2021

A report was submitted by the Chief Officer – Regulatory and Regeneration concerning an Application for Grant of a Temporary Taxi/Private Hire Car Driver's Licence for the above named person.

The Committee noted that the applicant had joined the meeting remotely, and after taking advice from the Clerk to the Committee it was not deemed appropriate in such circumstances to continue to hear the matter remotely.

Having heard from the Section Head (Licensing Services) and the Senior Officer (Licensing Services), Councillor McColl moved that consideration of the application be continued to a future meeting of the Committee.

DECIDED:-

After consideration, the Committee agreed that the application be continued to a future special meeting of the Licensing Committee to be arranged in January 2022 so that the applicant could attend in person.

HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A TAXI DRIVER'S/PRIVATE HIRE CAR DRIVER'S LICENCE

Name and Address of Applicant

Date Letter Received

Mr Kieran Gorman
24 Manse Drive
Alexandria
G83 8HG

28 October 2021

A report was submitted by the Chief Officer – Regulatory and Regeneration concerning a letter received from the Divisional Commander, Police Scotland requesting a suspension or revocation of the Taxi/Private Hire Car Driver's Licence held by the above named person.

Having heard from the Section Head (Licensing) and Police Constable Raymond Borland, it was noted the alleged offence as detailed in the letter from the Divisional Commander, Police Scotland was still sub-judice and as such could not be discussed further at this time or any further details provided.

Mr Gorman was then given the opportunity to address the Committee in connection with the circumstances relating to the matters detailed in the Police letter and was heard in answer to Members' questions.

DECIDED:-

After consideration, the Committee agreed that Mr Gorman's licence would be suspended with immediate effect for the unexpired portion of the licence, that being 2 February 2022. The Committee advised Mr Gorman that there may be an opportunity to come back before the Committee if pending court proceedings were determined prior to the expiry of the licence.

The meeting closed at 11.30 a.m.

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory and Regeneration

Licensing Committee – 2 February 2022

Subject: Licensing of Sexual Entertainment Venues - Civic Government (Scotland) Act 1982

1. Purpose

- 1.1** The purpose of this report is to advise the Committee on the responses received to the recently concluded consultation on the proposed introduction of a licensing scheme for Sexual Entertainment Venues (SEVs) and for the Committee to thereafter determine whether SEVs should be licensed within West Dunbartonshire.

2. Recommendations

- 2.1** Members are asked to note and consider the responses to the consultation exercise and thereafter determine whether to make a resolution to introduce a licensing regime for SEVs in West Dunbartonshire.

3. Background

- 3.1** The Air Weapons and Licensing (Scotland) Act 2015 amended the Civic Government (Scotland) Act 1982 to introduce an optional licensing scheme for local authorities to licence SEVs in their area. It is for local authorities to decide whether they wish to licence SEVs. If they are to be licensed, local authorities then decide whether to limit their number and determine individual applications.
- 3.2** The Committee has to consider whether to introduce SEVs into West Dunbartonshire Council's licensing regime by way of resolution. This follows the preliminary consideration of this matter at a previous meeting of the Licensing Committee where the Committee decided to consult on the licensing of SEVs within West Dunbartonshire.
- 3.3** If the Committee decide not to licence SEVs then such premises may operate without any licensing requirements relating to the activities and the Council will have no power to regulate these types of premises nor limit their number in any locality.
- 3.4** A SEV is defined as any premises at which sexual entertainment is provided before a live audience. The most common examples are lap dancing or strip clubs, but the definition is sufficiently wide to cover other premises where sexual entertainment is provided. Premises where sexual entertainment is provided on no more than 4 occasions in a twelve-month period are exempt.

3.5 Sexual entertainment is defined as:-

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

4. Main Issues

- 4.1 A consultation document was published on the Council's website from 13 September 2021 to 22 October 2021.
- 4.2 The consultation document was also sent directly to interested parties including Police Scotland, Community Councils, HSCP, Equalities network, Domestic abuse groups, Sex Worker Unions, Church groups and all Councillors.

A copy of the questions asked in the consultation and the list of consultees are attached at Appendix 1 and the responses are attached at Appendix 2. A total of 8 responses were received and these are summarised below:

The National SEV Coalition

The National SEV Coalition state they are a group of adult performers, allies and academics from around the UK. They question in their response as to the need to licence SEVs, and they provide a full written response on their position with regard to their view and experience as to the current operation of SEVs.

Glasgow and Clyde Rape Crisis

In a full written response to the consultation the organisation states that although increased regulation and licensing would increase scrutiny and compliance to consistent procedures, it fundamentally signals that SEVs are legitimate and welcomed to operate. They believe that this is the incorrect position to present to pursue increased equality and safety for women and girls, and the eradication of Violence Against Women and Girls.

Scot Pep

Scot Pep are a national sex worker charity that have provided a full written response to the consultation. They believe that SEVs should be licensed and provide information on performer's safety and propose licensing conditions for the Committee to consider.

Members of the Public

Responses were received from 5 members of the public. Three members of the public were against the licensing of such venues while two believed they should

be licensed. The responses and the reasons for their responses are as attached within the appendices.

4.3 There are currently no premises within West Dunbartonshire which would require to hold a SEV licence. The Committee may resolve to license SEVs even if no such premises currently exist. A specific licensing regime for SEVs will allow the Committee to consider local circumstances in setting the number of premises able to operate in West Dunbartonshire. Members have the ability to pass a resolution to licence SEVs and set the limit on the number of premises to nil. It will also allow the Committee to regulate these premises appropriately by attaching conditions to SEV licences.

4.4 If the Committee decides to introduce SEV licensing in West Dunbartonshire, it requires to make a Resolution specifying a date from which this will take effect. This date requires to be at least 12 months from the date on which the Resolution was passed. Then, not less than 28 days prior to the commencement date, the Council must publish a notice advertising that they have passed a Resolution to licence SEVs in its area. The notice must state the general effect of the licensing procedure and provisions at Schedule 2 of the 1982 Act (which set out the procedure for grant, refusal and variation of licences among other things) as modified for SEVs. This must be published either electronically or in a local newspaper.

4.5 It is proposed that if the Committee determine to licence SEVs then they should make a Resolution to require that SEVs hold a licence in the following terms:

“The Committee resolves that, from and after 2nd February 2022, Schedule 2 of the Civic Government (Scotland) Act 1982 (as modified by Section 76 of the Air Weapons and Licensing (Scotland) Act 2015) is to have effect in the West Dunbartonshire Council area in relation to Sexual Entertainment Venues.”

4.6 In this minimum 12-month period prior to the introduction of any SEV licensing regime, the Council is required to draft and publish a SEV policy statement. The policy statement will include details of the types of premises to be licensed, the appropriate number of premises and such like. The statement must consider the impact of SEVs in West Dunbartonshire and how it will affect the following:-

- Preventing public nuisance, crime and disorder
- Securing public safety
- Protecting young children and young women from harm
- Reducing violence against women.

5. People Implications

5.1 There are no personnel issues.

6. Financial and procurement Implications

- 6.1** If the Committee decides to pass a resolution to introduce the licensing of SEVs, the level of fees will be included within the draft policy statement and brought before the Licensing Committee for consideration. There are no procurement implications.

7. Risk Analysis

- 7.1** If the Committee does not resolve to licence SEVs there is a risk that the Council has no appropriate licensing regime to determine applications for such venues and that such premises may operate without any licensing requirements relating to the activities. The Council would then have no power to regulate these types of premises nor limit their number in any locality.

8 Equalities Impact Assessment (EIA)

- 8.1** An equality impact assessment has been carried out. A further EIA may be required should Members wish to implement an SEV licensing regime and be carried out as part of any future SEV policy development resulting from the consultation and evidence gathering process.

9. Consultation

There was a public consultation between the 13 September 2021 and 22 October 2021 and relevant and interested parties were written to directly as part of the initial consultation.

10. Strategic Assessment

- 10.1** The consultation on SEVs meets the Council's strategic priority of:

Meaningful community engagement with active empowered and informed citizens who feel safe and engaged.

Chief Officer – Regeneration and Regulatory

Date: 18 January 2022

Person to Contact: Raymond Lynch,
Section Head (Licensing)
Licensing Team,
Municipal Buildings,

College Street,
Dumbarton,
G82 1NR.

Tel. No.01389 737818.
raymond.lynch@west-dunbarton.gov.uk

Appendices:

Appendix 1: Consultation on Sexual Entertainment Venue Licensing and the relevant list of consultees.

Appendix 2: Responses received to the Consultation on Sexual Entertainment Venue licensing.

Background Papers: 1 - Scottish Government Guidance on SEVs:
<https://www.gov.scot/publications/guidance-provisions-licensing-sexualentertainment-venues-changes-licensing-theatres/>
2 - EIA – Licensing of Sexual Entertainment Venues

Wards Affected: All



Consultation:-

Sexual Entertainment Venue Licensing

- 1.1** Changes to the Civic Government (Scotland) Act 1982 allow the Council to introduce a new licensing regime for sexual entertainment venues ('SEV's'). As a result of these changes, the Licensing Committee can now decide whether SEV's in the Council's area should be licensed.
- 1.2** As it is a discretionary licensing regime, it is for local authorities to determine whether they wish to license SEV's. If a local authority chooses to license SEV's, it must determine what the appropriate number of SEV's should be in its area, and the appropriate number within each relevant locality within its area.

What is a Sexual Entertainment Venue?

- 2.1** The 1982 Act defines an SEV as *any premises at which sexual entertainment is provided before a live audience for (or with a view to) the financial gain of the organiser.*

- 2.2** For the purposes of this definition:

'audience' includes an audience of one;

'financial gain' includes financial gain arising directly or indirectly from the provision of sexual entertainment;

'organiser' in relation to the provision of sexual entertainment in premises, means:-

- (a) the person ('A') who is responsible for
- (i) the management of the premises, or
 - (ii) the organisation or management of the sexual entertainment, or
 - (iii) where 'A' exercises that responsibility on behalf of another person (whether by virtue of a contract of employment or otherwise), that other person;

'premises' includes any vehicle, vessel or stall but does not include any private dwelling to which the public is not admitted;

'sexual entertainment' means any live performance or any live display of nudity which is of such a nature, ignoring financial gain,

must be reasonably assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience; and

“display of nudity” means: in the case of a woman, the showing of (to any extent and by any means) her nipples, pubic area, genitals or anus; and, in the case of a man, the showing of (to any extent and by any means) his pubic area, genitals or anus.

- 2.3** However, the 1982 Act provides that premises where sexual entertainment is provided on no more than 4 occasions in a twelve month period are not to be treated as a SEV.

Current Position

- 3.1** At present there is no legal requirement for SEV’s to be licensed in Scotland. If the premises in which the sexual entertainment is taking place sells alcohol then, at present, the premises would only require a Premises Licence under the Licensing (Scotland) Act 2005.
- 3.2** Officers were authorised to carry out a public consultation and evidence gathering process in order to establish views on the following:
- (a) whether SEV’s in West Dunbartonshire should be licensed;
 - (b) if licensed, what the appropriate number of SEV’s for West Dunbartonshire should be; and
 - (c) if licensed, what should be included in an SEV licensing policy statement.

Potential Impact

- 4.1** If following the consultation and evidence gathering process the Committee decides to license SEV's, the 1982 Act requires the local authority to pass a resolution in order for SEV licensing to have effect in its area. If such a resolution is passed, all SEV's in West Dunbartonshire would require to apply for an SEV licence under the 1982 Act in order to operate.
- 4.2** If the Committee does not adopt the discretionary power available to it under the 1982 Act to license SEV's, these venues would not require to be licensed and could continue to operate without any direct regulation from the local authority.
- 4.3** A local authority which chooses to licence SEV's must publish an SEV licensing policy statement. If the Committee after the consultation and evidence gathering process decides to pass a resolution to license SEV's, a draft policy statement would be the subject of a further, formal consultation.
- 4.4** If the local authority were to pass a resolution to license SEV's they must review the appropriate number of SEV's for both their area and for each relevant locality within their area periodically following further consultation.
- 4.5** There are various grounds for refusal of a SEV licence grant or renewal application under the 1982 Act. This includes a refusal on the grounds that the number of SEV's in the local authority area or the relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is

appropriate for that locality.

- 4.6** Further information on the licensing provisions relating to sexual entertainment venues is available in Guidance published by the Scottish Government at the following link:

<https://www.gov.scot/publications/guidance-provisions-licensing-sexual-entertainment-venues-changes-licensing-theatres/pages/1/>

Seeking Your Views

- 5.1** The Committee has agreed that a consultation and evidence gathering process be undertaken to seek views on the licensing and regulation of SEV's, with the purpose of determining whether SEV's should be licensed within West Dunbartonshire.
- 5.2** In particular, the Committee is seeking views on:
- Whether a licensing regime should be adopted to license and regulate SEV's;
 - What the appropriate number of SEV's in West Dunbartonshire, or localities within West Dunbartonshire, should be, if SEV's were to be licensed; and
 - If the Committee were to decide to pass a resolution to license SEV's, what matters should be taken into consideration in the development of an SEV policy statement. As detailed above, a draft SEV policy statement would be subject to a separate consultation process.
- 5.3** Consultation is an important first stage in determining whether or not SEV's in West Dunbartonshire should be licensed and if so, responses will assist in the development of an SEV licensing policy statement if required.

How to Respond

- 6.1 Appendix A sets out further considerations and seeks your views as to whether SEV's should be licensed.
- 6.2 Appendix B sets out considerations which would be taken into account when considering what the appropriate number of SEV's should be within West Dunbartonshire, or parts of West Dunbartonshire, and seeks your views on these matters.
- 6.3 Appendix C relates to the possible development of an SEV licensing policy statement and standard licence conditions, if SEV's were to be licensed and regulated, and seeks your views.
- 6.4 Your response does not have to cover every issue listed as you may choose to respond to any aspect depending upon your individual or collective area of interest or experience. Where possible, please provide any evidence you may have in support of your response.

6.5 Your response should be sent (preferably by email) to:

By Email: licensing@west-dunbarton.gov.uk

or alternatively:

By Post: Peter Hessett
Chief Officer
Regeneration and Regulatory
West Dunbartonshire Council
16 Church Street
Dumbarton
G82 1QL

6.6 Please indicate in your response the capacity in which you are responding.

6.7 Your response should be received no later than **22 October 2021** in order to ensure that your views are considered as part of the consultation exercise.

What Happens Next?

- 7.1** Once the consultation deadline has passed, the responses will be collated and reported to the Licensing Committee, who will consider the responses received and assess the evidence available. If considered appropriate, the Committee may agree to make a resolution to license these venues. If a resolution is passed, an SEV draft policy statement will be issued for further consultation.

Further Information

- 8.1** The local authority intends to publish a summary of responses received to the consultation exercise – this will include your name if you submit a response.
- 8.2** If you would like further information on the consultation exercise or to discuss any other aspect of the approach to SEV Licensing, please contact:

Raymond Lynch, Solicitor (Section Head -Licensing)

Email: raymond.lynch@west-dunbarton.gov.uk

or

Robert Mackie, Senior Officer (Licensing Services)

Email: robert.mackie@west-dunbarton.gov.uk

A

Appendix A: Should SEVs be licensed?

- A1.** When determining the appropriate numbers of SEV's and which localities (if any) would be suitable for SEV's to be located, the local authority may consider:
- Whether there are any SEV's already operating in the locality and how they operate;
 - The character of the locality, e.g. principally residential, night-time economy, etc.;
 - The location of schools, places of worship, women's refuges or other services focused on supporting women, children and young people, and supported accommodation and recovery units, and any businesses or charities operating in the nearby vicinity;
 - Whether the locality is of historical or cultural importance;
 - The effect these venues have on local communities (relating to the licensing objectives explained in full at Appendix C.3);
 - Whether the locality contains premises or areas which are frequented by children, young persons or families for example parks, libraries or swimming pools; and
 - Whether there have been incidents involving anti-social behavior, sexual assaults, prostitution or more minor harassment reported within the locality.
 - Whether there have been incidents of human trafficking or exploitation locally.
 - The views of residents and other interested persons as far as possible

QUESTIONS WE ARE SEEKING VIEWS ON:

- Do you think SEVs in West Dunbartonshire should be licensed? If so, why?
- What impact, if any, do you think SEVs currently have on the community?
- Do you think there would be positive/negative impacts on SEV operators or workers if they were licensed? If yes, please explain what you think these would be?
- Do you think there would be positive/negative impacts on the communities and surrounding vicinity to SEVs if they were licensed? If yes, please explain what you think these would be?
- If SEVs were to be licensed, do you think the location of SEVs is an important consideration? Please explain your answer.

B**Appendix B:
If SEVs are to be licensed, what should the appropriate number be?**

- B1** If the Committee were to pass a resolution to licence SEV's, they have to determine and publicise the number of SEV's that they consider appropriate for the local authority area and each relevant locality within it. When reaching this decision, the Committee would be required to take specific local circumstances into consideration when determining the appropriate number of SEV's.
- B.2** The Committee would be required to review the set number of SEV's deemed appropriate from time to time and update this if necessary.
- B.3** The number, taking into account ECHR and the grounds of reasonableness, can be set below the current number of SEV's or even at nil.

QUESTIONS WE ARE SEEKING VIEWS ON:

- Taking into account the factors referred to above, what do you think the appropriate number of SEV's should be for the various localities within the local authority area:
 - (a) residential areas;
 - (b) rural areas;
 - (c) industrial areas;
 - (d) late night economy areas;
 - (e) the town centres; and
 - (f) West Dunbartonshire as a wholeWhere possible, please explain your answer
- What localities, if any, within West Dunbartonshire do you consider would be an appropriate location for an SEV?
- What localities, if any, within West Dunbartonshire do you consider would be appropriate for the location of an SEV? (please describe the area as clearly as possible and explain your answer where possible)

C

Appendix C: Developing a policy on the licensing and regulation of SEVs

- C.1** If the Committee were to pass a resolution to license SEV's, they would require to develop and publish an SEV policy statement which would provide the public with a clear indication of the Committee's policy with regards to the licensing and regulation of SEV. A draft SEV policy statement would be the subject of a future consultation.
- C.2** The Committee must have regard to its policy statement when exercising its functions in relation to the licensing of SEV's. It is also required, from time to time, to review the policy statement, revise it as appropriate and publish the revised statement.
- C.3** When preparing an SEV policy statement, the 1982 Act provides that a local authority must consider the impact of the licensing of SEV's in their area, having particular regard to how it will affect the objectives of:
- preventing public nuisance, crime and disorder;
 - securing public safety;
 - protecting children and young people from harm; and
 - reducing violence against women.
- C.4** In addition to preparing an SEV policy statement, the Committee may develop licence conditions, i.e. specific requirements that the licence holder must comply with or risk having their licence suspended or revoked. The Committee would have the authority to attach standard conditions for all licences granted for SEV's, and also to impose individual conditions to licences. If the Committee were to impose standard conditions for SEV licences, these would be set out within the SEV policy statement.
- C.5** The following examples are all potential standard conditions which could be adopted as part of the SEV policy statement, should the Committee pass a resolution to licence SEV's:
- *list of full names, dates of birth, nationality and contact details (address or telephone number) for all performers to be available on the premises for immediate production if requested by Police or authorised local authority officers;*
 - *ensure immigration status is in order and actively seek to identify performers who may have been the victim of human trafficking;*

- *employment of security guards;*
- *use and storage of CCTV;*
- *provision of hygienic changing and showering facilities and a toilet with access to hot water exclusively for the use of the performers;*
- *set break times for performers;*
- *the provision of a break room exclusively for the use of the performers;*
- *performers to be escorted by security to nominated taxi or to their car at end of shift;*
- *access to medical checks and sexual health advice to be provided on site;*
- *the licence holder to ensure performers remain clothed out with performance area;*
- *the licence holder to ensure no physical contact between performers and customers;*
- *the customers to be informed of rules of customer conduct that is deemed acceptable e.g. customers to remain fully clothed at all times, and these rules to be displayed at appropriate locations within the venue. Licence holders to ensure customers do not seek sexual favours or offer performers payment in return for sexual favours;*
- *the licence holder to ensure that customers do not to offer or ask for any form of contact details from performers; and*
- *the licence holder to ensure no photographs or video recordings are taken of the performers.*

C.6 The purpose of imposing standard conditions for SEV licences is to help protect the safety and wellbeing of performers, customers and the wider public.

QUESTIONS WE ARE SEEKING VIEWS ON:

- Whether you believe that imposing standard conditions to SEV licences would assist in safeguarding the wellbeing of performers, customers and the wider public?
- Whether you think that any of the example standard licence conditions noted above should be adopted as policy and included as standard conditions in SEV licences? Where possible, please could you explain your answer.
- Are there any other standard licence conditions that you think would be relevant?
- Can you make any other suggestions as to how the Committee could adequately address the licensing objectives within an SEV policy statement, these being:
 - Preventing public nuisance, crime and disorder
 - Securing public safety;
 - Protecting children and young people from harm;
 - Reducing violence against women

List of Consultees

- All West Dunbartonshire Community Councils
- All West Dunbartonshire Council's Chief Officers
- All West Dunbartonshire Council's Elected Members
- All West Dunbartonshire Premises Licence Holders (Forum)
- All West Dunbartonshire's Tenants Associations
- West Dunbartonshire Health and Social Care Partnership
- West Dunbartonshire Council Access Panel
- West Dunbartonshire Council Disability Resource Centre
- WDC LGBT Equalities Network
- West of Scotland Regional Equality Council (WSREC)
- Scottish Fire & Rescue
- Police Scotland (Local)
- Human Trafficking Unit, Scottish Crime Campus, Gartcosh
- NHS Greater Glasgow & Clyde
- GMB Sex Worker's Union
- Sex Worker Advocacy and Resistance Movement (SWARM) Collective
- SCOT PEP – Sex Worker's Charity
- Umbrella Lane
- International Committee on the Rights of Sex Workers in Europe (ICRSE)
- Enable
- Barnardo's – Children's Charity
- Quarriers
- Children First – Children's Charity
- Women and Children First
- Capability Scotland – Disability Charity
- No home for domestic abuse
- CEDAR – Children experiencing domestic abuse
- SAY Women (Sexually Abused Young Women)
- All Scottish Youth Parliament Members (Local)
- Dr. M. Ishaq, University of the West of Scotland – PACHEDU – Scottish Refugee Council
- General Secretary, Scottish Trades Union Congress, 333 Woodlands Road, Glasgow
- Archdiocese of Glasgow DCT

Lynn Straker

From: Licensing
Sent: 25 October 2021 08:00
To: Robert MacKie; Peter Clyde
Subject: FW: Sexual Entertainment Venue Licensing

From: National SEV Coalition [<mailto:nationalsevcoalition@protonmail.com>]
Sent: 22 October 2021 22:23
To: Licensing
Subject: Sexual Entertainment Venue Licensing

Dear Peter Hessett and colleagues,

The National SEV Coalition is a group of strippers, allies and academics from around the UK.

We read with interest your request for input regarding whether SEVs in West Dunbartonshire should be licensed through the local authority.

Our view, based on years of collective lived experience, is that these establishments should not be subjected to an additional licensing requirement in addition to existing Premises Licences for the selling of alcohol.

For a start SEV licences introduce obligations that tend to be counterproductive. Expensive yearly licence renewal processes are a disincentive for venue management to invest in the upkeep of their venues which not only creates a health and safety problem for the people who work in them but can also sometimes lead to the perception that they are 'seedy' because they are run down. It also takes money away from investing in better security etc.

A wide range of people enjoy striptease entertainment and work as strippers - there might be people on your committee who are regular customers and you might have people in your social or family circle who have been or are currently dancers. But social taboos mean that these parties do not readily come forward to share their point of view for consideration in the licensing process. This leaves a vacuum which means the views of a small minority of anti-strip club extremists often get more air time than befits how representative of the community as a whole they are.

Regarding the impact of SEVs on a local community or on society as a whole: this issue is often misrepresented, with anti-strip club campaigners using now-discredited research to justify their views. Please have a look at the [blog entries](#) on our website regarding police reports of violence surrounding strip clubs - the evidence shows that they do not cause an increase in violent crime in a neighborhood. Things like poor street lighting, the availability of alcohol where there are going to be large crowds, and whether there has been a football match that day, often have more impact.

Anecdotally most strippers, customers and venue management - the experts here - will tell you that there tends to be less disruption in and around strip clubs than some other late-night venues and inside the strip clubs leery customer behaviour tends to be kept in check for various reasons.

Regarding the location of SEVs, the same factors should be considered as for any other late-night venue serving alcohol. It is also important to be careful about safeguarding those who are under 18 etc but remember that strip clubs now provide a rare chance for in-person interaction - and therefore education - around interpersonal boundaries, something that is essential for a generation of people who have been got their sexual education and early sexual experiences from online sexuality.

Please be mindful that the presence of an SEV in a community does bring economic benefits to other businesses: taxis, late-night food places, golf resorts etc can find themselves in a mutually beneficial economic ecosystem with these entertainment establishments.

If you really want to protect the wellbeing of performers and customers, please be sure to consult them thoroughly, making provision for people to comment anonymously. Regular customers of strip clubs often get mental health benefits from going to these establishments and they do enable people from the neurodiverse community to get doses of intimacy that they might not otherwise get.

The views of performers can be ascertained by making contact with the [United Sex Workers](#) branch of the United Voices of the World (UVW) union, as well as other unions that represent erotic entertainers. In addition, we can explain the genuine nature of the link between trafficking and strip clubs. In fact we urge you to consult with ourselves and UVW regarding all of the issues considered in this consultation.

Once again, we have the lived experience and the nature of stripping means that dancers move around the country and therefore have experience of a wider range of venues than venue management or licensing officers often have. Unfortunately local licensing regimes such as that employed in England only make working conditions worse for us, and indeed for the customers themselves.

We look forward to hearing from you so you can avoid creating this dysfunctional situation in West Dunbartonshire.

Best wishes,
The members of the National SEV Coalition
www.nationalsevcoalition.org.uk

Sent with [ProtonMail](#) Secure Email.

2021

Response to West Dunbartonshire Council Consultation on Sexual Entertainment Venue Licensing

GLASGOW
& CLYDE

R / **A** **P** **E**
C **R** **I** **S** **I** **S**

CLAUDIA MACDONALD
DIRECTOR

OUR POSITION

We do not support the operation of Sexual Entertainment Venues (SEVs). Licenced or not, SEVs permit the commercial sexual exploitation of women and continued objectification of their bodies meaning that an SEV's existence is in direct conflict with Scotland's own Equally Safe vision seeking to prevent and eradicate violence against women and girls (VAWG). To achieve this, there must be increased targeting to redress the attitudes held and formed that provides an unacceptable level of tolerance towards VAWG in Scotland. This includes redressing and removing the entitlement held by boys and men to legitimately have the option and opportunity to receive sexual gratification and entertainment within SEVs.

We continue to reject that economic considerations – such as unemployment impact and reduced income generation for the area - should play a core part in determining the legitimacy of SEVs continued presence. Whilst loss of employment would come from the closure of SEVs, it is recommended that a supported transition and exit plan for women affected is put into place to safeguard their welfare and income requirements.

We also reject the belief that women having the opportunity to 'work' in SEVs is empowering or liberating and instead propose that the 'flexibility of hours and the levels of income made' (which is often cited by women themselves as being a positive part of this type of 'work') is prioritised in being provided through new opportunities, employment and training options and welfare support services instead.

Finally, the existence of SEVs is often compared to the presence of other venues where alcohol and entertainment is provided. It is advocated often that SEVs demand less police interventions, are better managed or more secure and create less negative disruption to the immediate area. This again is rejected as being part of a reasonable assessment as to why SEVs should continue to be present in a country that wants to eradicate VAWG. SEVs are not comparable to other venues where alcohol and entertainment is provided as these other venues are not providing commercial services that sexually exploit and objectify women for men's gratification.

Response to consultation questions

Do you think SEVs in West Dunbartonshire should be licensed? If so, why?

No; whilst increased regulation and licensing would increase scrutiny and compliance to consistent procedures, it fundamentally signals that SEVs are legitimate and welcomed to operate. This is the incorrect position to present as we pursue increased equality and safety for women and girls, and the eradication of VAWG.

Do you think there would be positive/negative impacts on the communities and surrounding vicinity to SEVs if they were licensed? If yes, please explain what you think these would be?

Again, licensed SEVs would signal to the surrounding community that there is acceptance of the commercial sexual exploitation of women and girls for the gratification of men.

If SEVs were to be licensed, do you think the location of SEVs is an important consideration? Please explain your answer.

N/A

What do you think the appropriate number of SEVs should be for the various localities within the local authority area:

Residential 0

Rural 0

Industrial 0

Late night economy areas 0

The town centres 0

West Dunbartonshire as a whole 0

What localities, if any, within West Dunbartonshire do you consider would be an appropriate location for an SEV?

None

What localities, if any, within West Dunbartonshire do you consider would be appropriate for the location of an SEV (please describe the area as clearly as possible and explain your answer where possible)

None

Response to consultation questions

Whether you believe that imposing standard conditions to SEV licenses would assist in safeguarding the wellbeing of performers, customers and the wider public?

No.

Whether you think that any of the example standard licence conditions noted above should be adopted as policy and included as standard conditions in SEV licenses? Where possible, please could you explain your answer.

No – as a licensing approach is not welcomed.

Are there any other standard license conditions that you think would be relevant?

No.



GLASGOW
& CLYDE

R / A P E
CRISIS

REGISTERED IN SCOTLAND. NO SC127793
SCOTTISH CHARITY NO SCO06595

Item 2

Appendix 2b

SCOT-PEP RESPONSE TO WEST DUNBARTONSHIRE COUNCIL'S CONSULTATION ON THE SEXUAL ENTERTAINMENT VENUE (SEV) LICENSING

22/10/2021

We write on behalf of SCOT-PEP in relation to the Sexual Entertainment Venue Licensing that West Dunbartonshire Council has put up for consultation.

Scot-Pep is a national sex worker-led charity, established in 1989. We advocate for the safety, rights and health of everyone who sells sex in Scotland, and we take a human rights-based approach to sex work. We welcome the opportunity to respond to the consultation on the Licensing of Sexual Entertainment Venues 2021.

Scot-Pep's priority is that workers within SEVs are protected, their rights upheld, and that no workers are made more precarious by changes to SEV licensing.

We strongly believe that SEVs in Scotland and in West Dunbartonshire should be licensed. Unlicensed and unregulated venues will not provide people working there with the safety and rights that should extend to all workers in Scotland. We hope that applicants for such licences will be thoroughly screened for a history of labour rights violations or indications of sexual harassment, and that the licences come with terms that protect labour rights, health and safety of performers and other workers at SEVs.

As for the impact that SEVs have on the community, we would like to remind the Council that everyone working at any SEV in the UK at the moment – performers, DJs, bar staff, cleaners, security guards - is part of the local community. They are the people who would be out of work if not for this venue, and their earnings go towards improving their lives and the lives of their families, and, by extension, the community. We see people safe at work as a positive impact.

We are certain that licensing SEVs will have an impact on performers, but whether it will be positive or negative depends entirely on the licensing conditions, which is why we call on West Dunbartonshire Council to engage with the performers' trade unions and seek their input on proposed changes, as it's their safety, rights and livelihood that will be affected the most by your decisions.

There are currently no SEVs in West Dunbartonshire, but there are successful, well-established strip clubs operating nearby in Glasgow. This likely makes it economically impractical for any SEV premises to open in the more rural areas of West Dunbartonshire and therefore the Council is unlikely to receive SEV applications. However, should the circumstances change and the demand for such a venue in West Dunbartonshire were to arise, setting the appropriate number of SEVs at nil right now will result in unlicensed strip clubs and pop-up venues proliferating, as well as demand for performances at private accommodation, for example stag nights at a holiday let. In all of these scenarios the performers end up working without health and safety measures in place, without appropriate security or CCTV, and any crimes that will be committed against them will go unreported. Workers in unlicensed or illegal workplaces will avoid contact with the police and other authorities for fear of having their work place shut down and losing their livelihood.

We would like to suggest that the Council set no limit for the number of SEVs in West Dunbartonshire and judge SEV applications on a case-by-case basis, should one ever come.

We agree that the right standard conditions to SEV licences, chosen with the help of performers, will assist in safeguarding the wellbeing and labour rights of performers. Many of the example standard licence conditions that the Council proposed should be adopted as policy and included as standard conditions in SEV licences. We are particularly pleased with no photo/video condition.

We are glad to see that the Council recommends bathrooms and changing facilities/ break rooms exclusively for the performers. We would like to ask the Council to include that these spaces should be comfortable to use, with seating, lockers, ventilation and functioning heating, preferably with facilities to make hot drinks and with a supply of cold drinking water. The size of the room should be appropriate to the number of performers employed by the SEV.

While we support the Council building certain SEV licence holder obligations into the new policy, these obligations must support or promote the labour rights of performers and their human rights, not impinge on them. We are concerned with the Council's proposal to "actively seek to identify" victims of trafficking among the migrant applicants. To our knowledge there have not been any instances of trafficking in the UK taking place in a licenced SEV. To link licences to general figures on trafficking 'in the area' is overly broad, and conflates trafficking with SEVs where there is no proven link. This contributes to the commonly-held misconception¹ that the sex industry has a stronger connection with trafficking than any other industry, which in turn contributes to greater stigma against workers. Without a labour-rights approach, this will create unreasonably lengthy and intrusive checks on migrant workers which do not result in better or safer working conditions. Unnecessary or unusual hiring policy recommendations are likely to lead to discriminatory hiring practices and racial profiling.

We also do not understand why police or any other authority would need the list of performers' personal details on demand. SEV performers are not criminals on probation. The Council is licensing a legitimate business, not a criminal activity, and we are concerned about workers' personal information being held and distributed in this way. Employers in the UK are obligated to keep sensitive data, such as personal details of their employees, securely, and not to share them on demand. If anyone needs a list of employees' personal details, be it at a SEV or any other place of work, they can request this information through the usual legal channels.

If materials providing sexual health advice are to be available on premises, we would ask that they are developed in collaboration with performers or sex worker-led groups to ensure they are sensitive, accurate and relevant to the setting.

We believe the location of a SEV is an important factor in the performers' safety. Performers are most vulnerable to sexual harassment and stalking when leaving work after their shift. If the venue is in a town centre or a late night economy area, they will have the protection of a well-lit busy street, with good public transport links, which is why we advise against rural and industrial areas. Areas that are hard to reach will also lead to a decrease in clientele, which

¹ <https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2020/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2020>

means a decrease in resources for the workers, which in turn reduces the workers' bargaining power with both the SEV management and clientele.

We appreciate that the Council intends to provide a safe environment for performers to leave work. The suggestion for performers to be escorted to their cabs or cars will exclude those performers who can't afford a car or a cab ride each night, meaning that they may simply not be hired to avoid complications. We suggest that instead of "one size fits all" approach, the Council makes SEV licence holders responsible to find the safest option for their employees.

There are a few more standard licence conditions that we would like the Council to adopt:

- SEV licence holders to provide performers with a clear pathway for complaints against the SEV management - preferably to an independent party, with the right to appeal. This should be made available to all performers upon joining the establishment.
- SEV license holders to remain responsible for the health and safety of all people working on their premises. These responsibilities should not be discharged by claiming that the performers are self-employed.
- Regular mandatory Health and Safety checks by the Licensing Committee.
- The licence should make clear the right of the performers to unionise and to bargain collectively for improved working conditions.

Contact: voice@scot-pep.org.uk

Item 7

Appendix 2c

Response to the public consultation on Sexual Entertainment Licensing

Date: 19/10/2021

Email response to: licensing@west-dunbarton.gov.uk

Overall position statement on the licencing of SEV's in West Dunbartonshire.

Overall whilst I do not support the operation of Sexual Entertainment Venues (SEVs), licenced or not, my concerns are that if a SEV was to open in West Dunbartonshire and there was no licencing measures in place SEV's would be able to operate without any level of scrutiny for location in the community and for the welfare of worker within the establishment. My personal views are that SEVs permit the commercial sexual exploitation of women and continued objectification of their bodies meaning that an SEV's existence is in direct conflict with Scotland's own **Equally Safe vision** seeking to prevent and eradicate violence against women and girls (VAWG) and is fundamentally incompatible with the priorities of **West Dunbartonshire Council's vision of: REDUCING INEQUALITIES FOR THE PEOPLE OF WEST DUNBARTONSHIRE** as set out in the strategic plan 2017-2022

1. Do you think SEVs in West Dunbartonshire should be licensed? If so, why?

Yes – licencing SEV establishments ensures that licence conditions and enforcement are in place which then provides a level of scrutiny on the establishment owner's, managers, operators and workers to reduce the risk of criminality such as prostitution and human trafficking; and help protect the safety and wellbeing of performers.

2. What impact, if any, do you think SEVs currently have on the community?

SEV's establishments promote an environment that is conducive to the objectification of women's bodies which is intrinsically linked to misogyny, gender inequality and underpins all forms of violence against women, this narrative then directly impacts on women in the immediate vicinity of SEV's as the culture of sexual objectification and entitlement to women's bodies overflows into pubs, clubs and public spaces around the SEV, this narrative then infiltrates into community values and the value placed on women in wider society.

3. Do you think there would be positive/negative impacts on SEV operators or workers if they were licensed? If yes, please explain what you think these would be?

I feel that licencing SEV's will have a **positive affect** on the operators / workers within the establishment. I believe that SEV licencing and subsequent licence conditions, along with enforcement, will help reduce the risk of criminality such as prostitution and human trafficking; and help protect the safety and wellbeing of performers. The physical and psychological health and wellbeing impacts for women involved in commercial sexual exploitation are well documented, the performers/operators/workers involved are often on low incomes, substance users and victims of other forms of gender-based violence. Involvement in Commercial Sexual Exploitation is often based on a lack of alternatives and often on coercion, such activities are rarely a 'free' or a

'vocational' choice <http://www.healthscotland.scot/health-topics/gender-based-violence/commercial-sexual-exploitation>

4. Do you think there would be positive/negative impacts on the communities and surrounding vicinity to SEVs if they were licensed? If yes, please explain what you think these would be?

Negative impacts for communities and the surrounding vicinity

Negative – SEV establishments promote an environment that is conducive to objectification of women's bodies which is intrinsically linked to misogyny, gender inequality and underpins all forms of violence against women and girls. Having SEV's in West Dunbartonshire supports a narrative that sexual desires of men trump the rights of women to live in a community where they are respected and valued as equal citizens. Again this narrative of sexual objectification and entitlement to women's bodies has the potential to impact women in the immediate vicinity of SEV's as it overflows into the pubs, clubs and public spaces around the SEV, which then infiltrates into a wider community discourse on gender equality and the value placed on women in wider society.

5. If SEVs were to be licensed, do you think the location of SEVs is an important consideration? Please explain your answer. **If SEVs are to be licensed, what should the appropriate number be?**

Taking into account all factors referred to above, I believe the appropriate number of SEV's for the various localities within the local authority should be:

(a) residential areas; 0

(b) rural areas; 0

(c) industrial areas; 0

(d) late night economy areas; 0

(e) the town centres; 0

(f) West Dunbartonshire as a whole 0

I would urge WDC to set the limit of SEV's to **Zero (0)** to give a clear position that the operating of Sexual Entertainment Venues (SEVs) in WD is fundamentally incompatible with the priorities of West Dunbartonshire Council's vision of: REDUCING INEQUALITIES FOR THE PEOPLE OF WEST DUNBARTONSHIRE as set out in the strategic plan 2017-2022. Reducing inequalities is central to

Scottish Government's Equally Safe: Scotland's Strategy to prevent and eradicate Violence against Women and Girls (VAWG) , which positions gender inequality as the root cause of VAWG and within this document the Scottish Government defines lap dancing and stripping as commercial sexual exploitation, and thus a form of VAWG that causes harm to all women, by sanctioning the objectification of women's bodies.

Establishing a limit of anything above Zero as a limit for SEV's in West Dunbartonshire is incongruent to the above local and national strategic priorities for reducing the harm that inequality in all its forms causes to communities.

The Council should endorse the objectives within:

- Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls <https://www.gov.scot/publications/equally-safe-scotlands-strategy-prevent-eradicate-violence-against-women-girls/>
- Human Trafficking and Exploitation Strategy <https://www.gov.scot/publications/trafficking-exploitation-strategy/>
- What localities, if any, within West Dunbartonshire do you consider would be an appropriate location for an SEV?

There is **no locality within West Dunbartonshire that would be appropriate for a SEV establishment**. Each locality within West Dunbartonshire should not be subjected to an SEV establishment in recognition of the exploitation faced by performers within SEVs and the harm to all women caused by sanctioning the objectification of women's bodies

- What localities, if any, within West Dunbartonshire do you consider would be appropriate for the location of an SEV? (please describe the area as clearly as possible and explain your answer where possible)

I believe there are no localities within WD that are appropriate to site a SEV establishment.

Item 7

Appendix 2d

Sexual Entertainment Venue Licensing (SEV'S)

I am unaware of any venue that provides sexual entertainment within the West Dunbartonshire area, however I most definitely believe SEV's should be licensed to help with the safety of the person carrying out the entertainment, to help protect youngsters from thinking soft porn is normal, acceptable behaviour for all people and to avoid the area being overrun with venues providing entertainment that is not acceptable to all persons within the vicinity.

The negative impact on the community is it reinforces the mistaken view that everyone carrying out these sexual acts are happy to do so and are not either exploited or desperate. Yes, there may be a small amount of people that are willingly doing this 'job' but overall, there is a great risk of vulnerable and/or desperate people pushed into these situations and find it extremely difficult to move away from them. It could lead to more sexual harassment or attacks on people due to the mentality that all people are 'fair game' depending on how they dress, behave or act which is completely false.

The only positive impact I can imagine is if the licenses curtail what is allowed so a mildly titivating cabaret type show is put on occasionally that is acceptable for mixed audiences ie male & female, varying age groups would help the purses of the local venues. Suggestion is much more acceptable than part or full-on nudity seen within particular bars and clubs.

For the entertainers the positive impact could be it provides a little more protection but unfortunately there is no real guarantee if this would happen or of the monitoring of it. However, if the shows were limited by the license, then possibly the entertainers would be showing less of their bodies and kept from being manhandled by strangers.

The negative impact for the entertainers is the work they do in possibly local areas would be curtailed and they would then have to venture into areas they are not familiar with which could possibly create more danger for them.

The location of the venues should **not** be kept to the backstreets as again this gives the impression we are accepting of the full-on nudity but it is just being kept hidden from the 'fuddy duddy do gooders' that don't know how to have fun when this is so not the case. Its so easy for people to sneak into these hidden venues then preach about how bad they are, get them out in the open and keep them restricted.

All areas should be licensed but the appropriate numbers of SEV'S for the following localities should be:

- Residential areas: Venues that have residential dwellings connected to them should definitely not be allowed to provide sex shows at all if it means people are having to bypass the venues to get to their homes. Neither should these shows be carried out in people's houses, there is most definitely a dire need for a change in the law. I can imagine victims of domestic abuse being forced to do things they really do not want to do within their own home, so they have

no way of escaping this nightmare and the unfounded shame they'd feel seeing neighbours, sad....so sad. Feeling unsafe or being ogled, wolf whistled, or rude comments being made to a person coming and going from their home can without a doubt lead to fear, anxiety and mental health problems. It may even lead to more sexual harassment that is considered by some as banter. As the law stands now, I would say change it so it is illegal to have these shows or at the very least license them and curtail the things allowed as part of this license. I wouldn't even know where to start to pick a number for how many licenses should be allowed, my thoughts are 100% of any area should be made to apply for a license before being allowed to have a sex show.

- Rural areas: As above the increase in risk to domestic abuse victims and passers-by is increased by some of the people that hang around or are part of sex shows (not usually the entertainers I'd imagine). The fact there are less houses and people around increases the risks also, so again a change in the law or a very limited license may improve the types of shows being provided, and my thoughts are 100% of any area should be made to apply for a license before being allowed to have a sex show.
-
- Industrial areas: These areas are for work, why should they be providing sex shows at all? Entertainers could be at more risk entering areas where there is little or no one around to help them should things get out of hand. Extremely limited license in what they are allowed to provide especially as these areas are usually mainly male dominated. Again my thoughts are 100% of any area should be made to apply for a license before being allowed to have a sex show.
- Late night economy areas: These are the types of venues I would imagine that are the most likely to provide sex shows to boost their income. It is more accepting that Clubs, night cafes, theatres etc are going to provide adult, although not necessarily sexual, entertainment therefore it stands to reason there will be a higher demand for more variety in types of entertainment. These, I believe, would be the venues that are given the most 'freedom' on the license. This does not mean I agree with so called 'titty bars and pole dancing clubs' within West Dunbartonshire, putting on a staged cabaret type show is completely different from providing an opportunity for entertainers to make tips by flaunting their wares. My thoughts are still 100% of any area should be made to apply for a license before being allowed to have a sex show.
- the town centres: I'd say this is mainly where the late economy areas are so the information above is the same for here. The main thing is to keep the doorway in a well lit up area to protect the public in general, no point hiding it away so it's easier for the bullies to victimise the vulnerable or for those hanging around outside to verbally abuse and harass the public. I repeat, my thoughts are 100% of any area should be made to apply for a license before being allowed to have a sex show.

- West Dunbartonshire as a whole: You must have gotten it by now, my thoughts are 100% of any area should be made to apply for a license before being allowed to have a sex show otherwise get them named, shamed and brought to court. This is the only way we are ever going to help to protect vulnerable people, trafficked people, our youngsters growing up into kind, respectable and responsible adults.

I agree with the following examples of standard licence conditions noted below should be adopted as policy and included as standard conditions in SEV licences.

1. List of full names, dates of birth, nationality and contact details (address or telephone number) for all performers to be available on the premises for immediate production if requested by Police or authorised local authority officers to aid in the prevention of human trafficking.
2. Ensure immigration status is in order and actively seek to identify performers who may have been the victim of human trafficking so they can be helped to escape from their traffickers.
3. Employment of security guards to protect the public, performers and other staff members.
4. Use and storage of CCTV is vital but should be monitored extremely carefully to protect the performers.
5. Provision of hygienic changing facilities and a toilet with access to hot water exclusively for the use of the performers where it is possible. At the very least it may be shared with other staff members of the same gender but a lock on the changing area as well as the toilets. Again, a shower if space allows.
6. Set break times for performers.
7. The provision of a break room exclusively for the use of the performers, or the inclusion of other staff members if limited space.
8. Performers to be escorted by security to nominated taxi or to their car at end of shift.
9. Access to medical checks and sexual health advice to be provided on site if the venue is providing shows regularly. In the case of a one-off show this would seem excessive.
10. The licence holder to ensure performers know they must remain clothed out with performance area.
11. The licence holder to ensure, as much as possible, no physical contact between performers and customers.
12. The customers to be informed of rules of customer conduct that is deemed acceptable e.g. customers to remain fully clothed at all times, and these rules to be displayed at appropriate locations within the venue. Licence holders to ensure, within reason, customers do not seek sexual favours or offer performers payment in return for sexual favours.
13. The licence holder to ensure, within reason, that customers do not to offer or ask for any form of contact details from performers.
14. The licence holder to ensure no photographs or video recordings are taken of the performers.

Lynn Straker

From: Licensing
Sent: 21 October 2021 08:21
To: Robert MacKie; Raymond Lynch
Subject: FW: Sexual Entertainment Licence

Sent: 20 October 2021 17:38
To: Licensing
Subject: Sexual Entertainment Licence

To whom it may concern,

I came across this licensing issue on the West Dunbartonshire Council website and was shocked that such a thing was even being discussed. In 2021 the exploitation of women (or men) in sexual entertainment should not be a thing. Apart from the exploitation, such venues would lead to more sexual associated assaults happening. I cannot find any justifiable reason for any such venue being granted a licence in West Dunbartonshire. The area is in poverty, the drug addiction is high, alcohol dependency is high, mental health is high and we are in a Global Pandemic! Who comes up with these ideas?

Lynn Straker

From: Licensing
Sent: 28 September 2021 09:38
To: Robert MacKie
Subject: FW: Sexual entertainment licensing

Sent: 24 September 2021 22:11
To: Licensing
Subject: Sexual entertainment licensing

The council should not licence any sexual entertainment in the West Dunbartonshire council area.

Lynn Straker

From: Licensing
Sent: 22 October 2021 09:05
To: Robert MacKie; Raymond Lynch
Subject: FW: Sexual Entertainment Venue Licencing

Sent: 21 October 2021 18:56
To: Licensing
Subject: Sexual Entertainment Venue Licencing

Sexual Entertainment Venue Licencing

I am writing in response to the above consultation with my views.

I do not support such venues being allowed in West Dunbartonshire, licenced or not. These venues allow sexual exploitation of women and the objectifying of women and their bodies. Scotland has an Equally Safe vision which is working hard to eradicate violence against women and girls with its Violence against Women and Girls remit (VAWG) There must be the taking away of the idea that men and boys have to receive entertainment and sexual gratification in venues such as the venues being consulted on.

I don't believe that such venues can be justified by considering economics. It would be much better to support women to leave and have support to safeguard them. I don't think that working in such venues liberates or empowers women. We should create different chances and welfare support options for women.

Sometimes other reasons are given that say these venues are managed better than other entertainment venues. Any venue which provides commercial services which sexually exploit or make women be see as objects for men's gratification should not be allowed.

Again in a Scotland of which we can be proud, we need to do everything we can to eradicate violence against women and girls by preventative measures rather than encouraging its continuing presence.

Having worked for many years with women and girls who've experiences of such violence, I think it would be a retrograde step for West Dunbartonshire to allow these.



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