

'How to' Guides

Objections to lap-dancing licensing applications and policy – for use by community groups

The Lilith Project first began researching licensing and striptease clubs in 2003 at the behest of a member of the Camden Diversities Unit and several women's groups, who were concerned about the safety of women working and living near lapdancing establishments.

Through our research, it quickly became clear that the increased number of venues offering adult entertainment involving nudity is linked to and at the forefront of the increased normalisation of the sex industry and the practice of exploiting women for sexual purposes. Thanks to aggressive marketing from the lapdancing clubs they are now seen as another space to go celeb-watching, as opposed to a cynical money-making venture.

When big-name clubs like *Spearmint Rhino* and *Secrets* are allowed to get away with reduced responsibility and relaxed rules, it paves the way for smaller, less regulated establishments to do the same, which can only mean more danger for the women working in them.

However, there are steps that concerned women, residents and community groups can take to stop these venues applying for licences. This pack is intended as a guide for would-be objectors, and explains how to object and what information groups need to collect in order to succeed in representations against prospective clubs.

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 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 have 28 days only 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 resident opinion. 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 as 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 these objectives unless otherwise stated by the relevant Licensing Authority in its Statement of Licensing Policy.

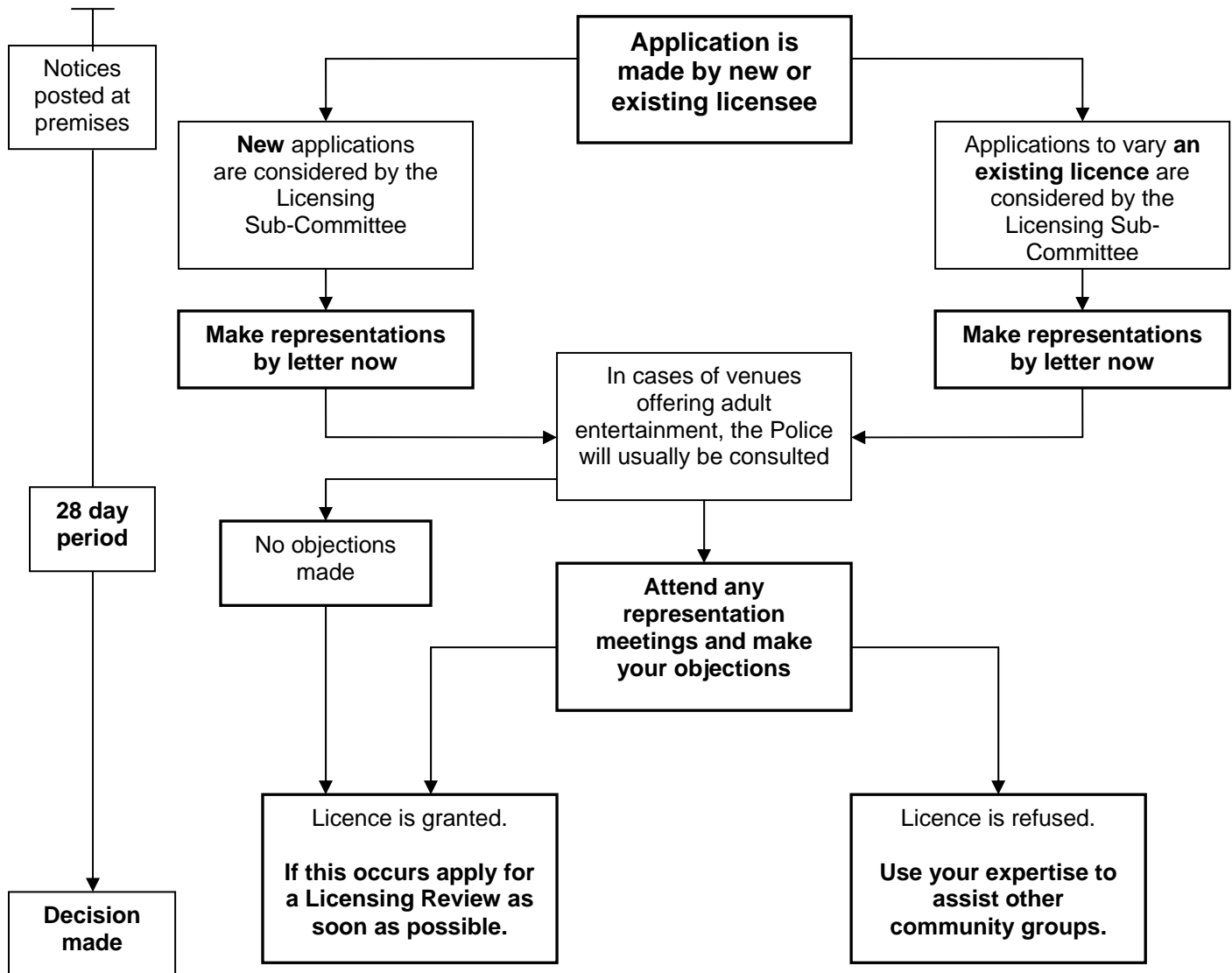
What to do if a licence has already been issued

If a representation is unsuccessful the issued licence can be challenged at a Magistrate's Court and appeal against it.

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)
- Lapdancing clubs can disrupt local residents. Between April 2000 and March 2001 Camden recorded 2730 noise complaints, the areas that received most complaints were those with the greatest number of striptease and lap dancing clubs, all of which had late-opening licences.
- Research carried out by Glasgow Chamber of Commerce in 2003 found that three-quarters of city centre business believed that lap-dancing clubs would damage the reputation of the city, half were concerned about the safety of their staff in the vicinity of the clubs.
- Research in the USA and Scotland found that men in lap dancing clubs often perpetrate acts of sexual violence against the women stripping there. Holsopple (1998) found that 61% of the women had had a customer attempt to vaginally penetrate them with fingers against their will.

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 the 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.