



Sex Establishments Licensing Policy Consultation

Report February 2021

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BCP Council

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BCP Council Sex Establishments Policy 2021

Consultation report

This is the first Sex Establishment Policy for BCP Council since the establishment, on the 1st April 2019, of a single local government area for the now dissolved boroughs of Bournemouth, Christchurch and Poole.

This Policy will allow BCP Council to control and regulate the operation of Sex Establishments within the whole conurbation. The draft policy sets out the licence application process, and the grounds for refusing an application, these do not include refusal on the grounds of moral/values objections as the activities are permitted by the legislation.

Sex Establishments falls into three categories; sex shops, sexual entertainment venues and sex cinemas.

The new policy does not propose to set any limits on the number or location of sex establishments unlike previous policies. Views were sought on the proposed policy and in particular the character and locality of licenced premises.

Methodology

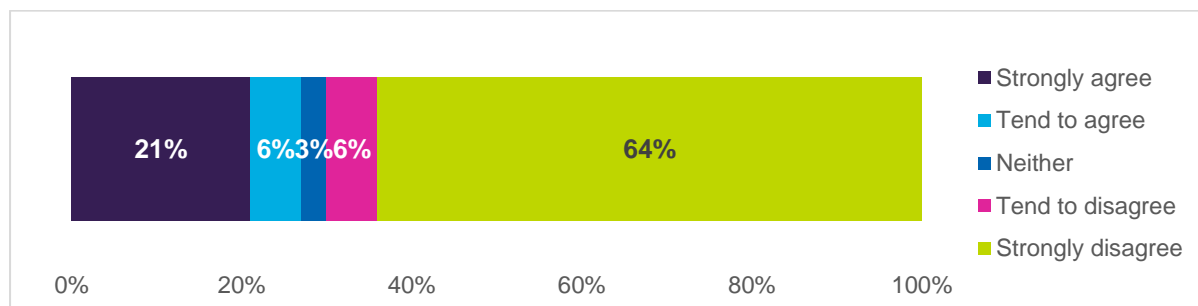
The consultation was open for 4 weeks, from 4 January – 1 February 2021. An online survey was made available, alongside links to the draft policy document. In total there were 206 responses to the survey.

This report shows the responses to each of the questions in the survey and will highlight if there were any demographic groups who expressed different opinions to others; these differences are tested for statistical significance and only significant differences are highlighted. Groups more likely to agree are highlighted in blue and those less likely to agree (or more likely to disagree) are highlighted in purple.

Results

The first point for consideration was whether or not the policy should seek to limit the number of sex establishments in particular localities. While the number of establishments in an area will be considered as one of the criteria for granting or refusing a license, it is proposed that the policy will not set specific limits.

Figure 1: BCP Council should not seek to limit the number of sex establishments in any given area



Base: 203 responses

When asked to what extent they agreed or disagreed that BCP Council should not limit the number of sex establishments in any given area, seven in ten respondents disagreed; most of these disagreed strongly.

People **aged 65+** were more likely to disagree (94%) than any other age group.

Females were more likely to disagree (80%) than males (57%)

Heterosexual respondents were more likely to disagree (75%) than those from the LGBT community.

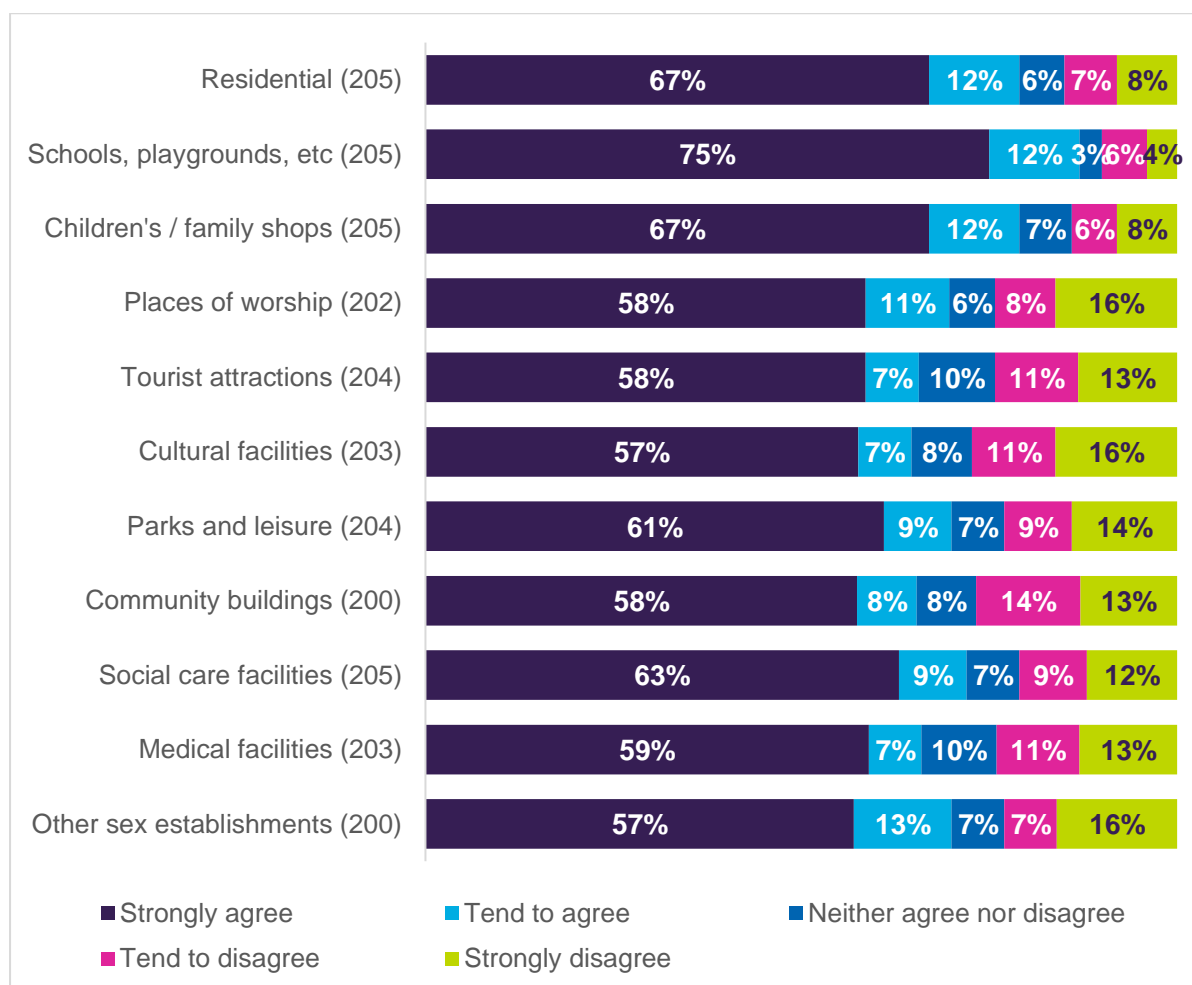
There were no significant differences by disability, ethnicity or religion

The second element for consideration was the character of the locality and whether the proximity of certain types of premises should be considered when deciding whether a licence application is in an appropriate locality. The list of locality characteristics to be considered is shown below. (Note that some of these will be abbreviated in the results for ease of presentation – where used, the abbreviation is shown in brackets)

- Residential premises
- Premises which are sensitive because they are frequented by children, young persons or families including, but not limited to educational establishments, nurseries, playgroups, playgrounds, youth clubs and youth hostels (Schools, playgrounds, etc)
- Shops used by or directed at families or children (Children's / family shops)
- Premises sensitive for religious purposes for example, churches, mosques and temples (Places of worship)
- Places and/or buildings of historical/cultural interest and tourist attractions (Tourist attractions)
- Cultural facilities such as museums, theatres and cinemas (Cultural facilities)
- Public leisure facilities such as leisure centres, parks and open spaces (Parks and leisure)
- Community buildings such as community centres, libraries and drop in centres (Community buildings)
- Places used by vulnerable persons such as day centres, hostels and other adult social care facilities (Social care facilities)
- Hospitals and other medical facilities (Medical facilities)
- The number, type and concentration of other sex establishments already licenced within the locality (Other sex establishments)

Respondents were asked to what extent they agree or disagree that the proximity of the types of premises listed should be taken into account when considering a licence application.

Figure 2: The proximity of the following types of premises should be taken into account when considering a licence application.



(Base: varied as shown)

A majority of respondents strongly agreed with all of the criteria for consideration. Residential premises, children’s facilities such as schools and playgrounds, and shops aimed at children and families saw the strongest level of agreement. There was a sizeable minority that disagreed with many of the criteria. Between a quarter and a fifth of respondents disagreed or strongly disagreed with all except the first three criteria.

Residential premises

Overall, 79% of respondents agreed that the proximity of residential premises should be taken into account when considering licensing applications for sex establishments and 16% disagreed.

- Respondents **aged 65+ (100%) and 55-64 (90%)** were the **most** likely to agree, especially compared to those **aged 35-44 (62%)** who were **least** likely to agree.
- **89% of females** agreed compared to 63% of males. 28% of males disagreed.
- Respondents from a **BAME community** were more likely to **disagree** (31%) than respondents from white British or other white backgrounds.

Premises frequented by children, young persons or families (Schools, playgrounds, etc)

There was strong agreement that these premises should be considered when deciding whether to issue a licence for a sex establishment, with 87% of respondents agreeing and only 10% disagreeing. Since so many respondents agree, there are very few differences by protected characteristics. Respondents from a **BAME background** were more likely to disagree (31%) than other ethnic backgrounds.

Shops used by or directed at families or children

There was 79% agreement with this consideration and 14% disagreement.

- Respondents **aged 55-64** (90%) and **aged 65+** (100%) were more likely to agree than those **aged 35-44** (63%)
- **Female respondents** were more likely to agree (85%) than **males** (66%)

Premises sensitive for religious purposes

There was 69% agreement that places of worship should be considered and 24% disagreement.

- Respondents **aged 65+** (94%) were more likely to agree compared to those **aged 35-44** (50%) and **aged 55-64** (63%)
- **Females** were more likely to agree (82%) than **males** (48%)

Places and/or buildings of historical/cultural interest and tourist attractions

Overall, 65% of respondents agreed that historical / cultural buildings and tourist attractions should be considered while 25% disagreed.

- **Female** respondents were much more likely to agree (79%) than **males** (41%)
- Respondents **aged 65+** were much more likely to agree (88%) compared to those **aged 35-44** (49%)
- Respondents from an **other white ethnic background** (89%) were more likely to agree than those from a **white British background** (60%)

Cultural facilities

There was 65% agreement that the proximity of cultural facilities such as museums, theatres and cinemas should be considered and 27% disagreement.

- **Female** respondents were much more likely to agree (81%) than **males** (37%)
- Respondents **aged 65+** were much more likely to agree (88%) compared to those **aged 35-44** (49%)

- Respondents from an **other white ethnic background** (89%) were more likely to agree than those from a **white British background** (59%)

Parks and leisure

There was 70% agreement that public leisure facilities such as leisure centres, parks and open spaces should be considered and 23% disagreement

- **Female** respondents were much more likely to agree (85%) than **males** (46%)
- Respondents **aged 65+** (88%) and **aged 55-64** (79%) were much more likely to agree compared to those **aged 35-44** (53%)
- Respondents from an **other white ethnic background** (94%) were more likely to agree than those from a **white British background** (66%) or a **BAME background** (62%)

Community buildings

Two thirds (66%) of respondents agreed that community buildings such as community centres, libraries and drop in centres should be considered.

- **Female** respondents were much more likely to agree (81%) than **males** (43%)
- Respondents **aged 65+** (88%) were much more likely to agree compared to those **aged 35-44** (51%)
- **Heterosexual respondents** (69%) were more likely to agree than those who are **bisexual, gay, lesbian or other sexual orientation** (46%)

Social care facilities

72% of respondents agreed that places used by vulnerable persons such as day centres, hostels and other adult social care facilities should be considered and 23% disagreed.

- **Female** respondents were much more likely to agree (85%) than **males** (52%)
- Respondents **aged 65+** (94%) and **aged 55-64** (79%) were much more likely to agree compared to those **aged 35-44** (53%)

Medical facilities

66% of respondents agreed that hospitals and other medical facilities should be considered and 24% disagreed.

- **Female** respondents were much more likely to agree (81%) than **males** (40%)
- Respondents **aged 65+** (88%) were much more likely to agree compared to those **aged 35-44** (53%)
- Respondents from an **other white ethnic background** (89%) were more likely to agree than those from a **white British background** (62%)

Other sex establishments

Seven in ten respondents (70%) agreed that the number, type and concentration of other sex establishments already licenced within the locality should be considered and 24% disagreed.

- **Female** respondents were much more likely to agree (80%) than **males** (51%)
- Respondents **aged 65+** (94%), **aged 55-64** (79%) and **aged 45-54** (74%) were more likely to agree compared to those **aged 35-44** (47%).

Comments

There were two open questions on the survey where respondents could leave comments. The first asked if there were any other locality characteristics that should be considered and the second asked for any other comments on the policy. It was made clear that sex establishments are permitted by national legislation, so moral objections are not grounds for refusing a license. The draft policy covers both sex entertainment venues and sex shops. Many of the comments refer to entertainment venues rather shops.

Other locality considerations

This question sought to identify other characteristics of localities that should be taken into account when considering licenses for sex establishments. 82 respondents provided answers to this question and the majority of them (46) stated that no locality is suitable and sex establishments shouldn't be allowed anywhere.

A small number of comments (6) spoke about the establishments themselves, stating that discreet exteriors together with late night opening times would limit the impact on users of the kinds of facilities listed e.g. shops, schools, etc.

Some re-iterated considerations already listed, particularly residential areas and places frequented by families and children. Three mentioned the number of other sex establishments – one of these said that the number should be limited, another said that they should be spread out to minimise any related disruption while the other suggested that concentrating all such establishments in one area would make them easier to regulate, and easier to avoid for those who don't want to see them. Two mentioned facilities for vulnerable adults – one of these mentioned drug / rehab facilities and the other spoke of services for women including counselling and crisis services for gender-based violence.

Twelve comments addressed locality characteristics. The most common related to personal safety i.e. avoiding areas with poor lighting, dark alleyways and anywhere where staff, customers and passers-by might feel unsafe.

Restaurants frequented by families and children was suggested by two respondents.

The level of crime and anti-social behaviour in the area was also a mentioned. In particular, one respondent mentioned other types of licensed premises while another said we should consider if an area already has a reputation for prostitution.

Other comments

There were 101 other comments made. Most of these were comments made either in support of or opposition to sex entertainment venues (SEVs). While the consultation did not seek opinions on whether sex establishments should be allowed or banned (since they are permitted by national legislation), some examples of these comments are included for completeness of reporting. Again, many of the comments focused on SEVs rather than shops.

Below are some examples of the points made. Where numbers of comments are shown, this is to indicate the volume of comments in a particular theme.

Moving beyond the debate around whether SEVs should be allowed or not, there were a few comments which suggested changes or additions to the policy.

These suggestions include:

- Regulations to protect performers from exploitation or abuse by management or customers.
- Measures to regulate working conditions for staff and performers in SEVs
- Details of support groups to help women who wish to leave the industry to be displayed in performers' changing and/or rest areas.
- Details of how SEV staff can report problems or concerns about venues to the council, to be displayed in changing and/or rest areas.
- That licensees should have considerable experience in the industry.
- That designating appropriate localities and an appropriate limit on the number of venues to be permitted within them would provide more clarity and reassurance to both potential licensees and local communities.
- Regulations covering the external appearance of venues.
- Better public consultation when an application is made, not just a notice in the newspaper.

One respondent questioned why the policy states that a councillor cannot vote on an application if they object or represent an objector, but no such exclusions are in place where a councillor supports or represents a supporter of the application.

There were 19 comments in support of sex establishments. Some of those who commented in support of SEVs or sex shops commented that they have been operating for some time with little or no trouble.

“My understanding is these types of establishments have far less disorderly behaviour, policing issues, etc. than places such as bars and nightclubs!”

“There was a sex shop at the end of Morley road and another round the corner on Christchurch road, there were NEVER any issues and never any odd or dangerous looking men... never anyone loitering or hanging around. no noise and no problems. I would rather have sex establishments that cater to those who want it, than have frustrated men potentially committing a crime to quell their urges.”

“SEVs normally operate at night, cause very little trouble as opposed to some night clubs. Signage is generally discreet as per licensing conditions. They also increase the security presence within the immediate vicinity and have been known to help out where needed with the police and any presence alone tends to reduce any potential crime”

Others commented that SEVs operate late at night and therefore would not impact on premises used by families and children.

“I disagree that surrounding premises near to a sexual entertainment venue should be taken into consideration, simply because they tend to be open during hours when family style premises are closed. And during the day, most are discreet so it is unknown what services they offer”

Some supporters believe that SEVs are an important contributor to the local economy

“Please respect that the adult industry, be this live entertainment venues, sex shops or private premises, provide a massive amount of people with a livelihood. The adult industry can be a massive economic tool to BCP, if used correctly, but the over policing of the adult industry that BCP is guilty of is dangerous. Whilst the adult industry should not be enabled to infringe on the safety and well-being of the community and in particular, vulnerable members of said community; it must be recognised as a powerful economic tool, a valid profession and industry, and a regulated industry, not one of loose morals and no rules. The sex industry can be regulated and safe and overall positive, please do not remove any more freedom of expression from the adults of BCP and beyond.”

“Sexual entertainment venues, specifically the lap dancing clubs, have brought much income and tourism to Bournemouth over many years. I do think that the clubs also bring employment to the area. [...] and [...] have been a part of Bournemouth nightlife for many years and I would like to see them continue too.”

There was a high volume of comments opposing the licensing of SEVs (60 comments). Many of these comments were identical, or contained lengthy passages that were identical to others, seemingly copied from a common source. This does not mean that these comments are not legitimate – they still reflect the views of the respondents – but it does mean that including a number of them in the report would be repetitive.

Those opposed to SEVs described the venues and the activities within them as degrading and abusive to women. As such, many felt that the council would be failing in its equalities duty if such venues were permitted.

“I believe that supporting gender equality is seriously undermined by allowing these places, as they objectify women, normalise the commodification of women, exploit women who are poor or disadvantaged, and push the notion that men have the upper hand over women.”

“Bournemouth is a top destination for families, older people, couples and students. The council should seek to implement a zero cap on any type of sex establishment, recognise the harm caused to women both inside and outside the industry, help women exit this industry, and fulfil its legal obligations to promote equality between the sexes under the gender equality duty/ Equality Act 2010. Young female students are vulnerable to recruitment by pimps that run lap dancing clubs and sex establishments create no go zones for the vast majority of visitors to Bournemouth. The seaside town is not an attractive destination when it is filled with groups of men late at night trying to procure women's bodies.”

“The draft policy seems to be going in an opposite direction from that indicated by developments in public policy, public health research and research into the causes and consequences of sex discrimination and violence against women. In the last decade all these areas have seen a strengthening of the links between SEVs and the continued scourge of violence against women and girls, in the context of gender inequality. Public health (which includes the prevention of violence against women and girls) is now a matter for local authorities: the same local authorities who are responsible for SE licensing policy. Therefore in order to have a joined up approach to its obligations on equality and on public health, the authority should move to a nil cap policy not a policy for unlimited SEVs. The absence of an Equalities Impact Assessment may lie behind this - an Equalities Impact Assessment considering the evidence of the negative impact upon women and girls of the presence of SEVs would have led to a different policy proposal.”

“Considering the public sector equality duty, there is NO locality where strip clubs are appropriate, you must adopt a Policy for ZERO clubs, stop licensing clubs currently operating and support all women out. This is absolutely critical now because of the mass expansion the industry will be pushing for post Covid, and the massive increase in abuse that will be seen (desperate women, strip club operators and local brothels they feed eager to claw back funds, and demand from punters).”

Others highlighted research linking SEVs to criminal activity such as trafficking and prostitution.

“Strip clubs often serve as fronts for brothel operation and the horrible abuse associated with it. Any expansion of the sex trade creates enormous demand for commercialized sexual acts. However, it does not lead to the same increase in supply of women and children to meet the demands of abusive buyers, thus leaving a gap between supply (people being sold) and demand (people buying other humans for pleasure). This

gap is filled with human sex trafficking, this poses enormous threat to the community the expansion takes place in, leading to a decrease in safety and the dignity and wellbeing of women and girls.”

“Please consider a Zero limit on sex establishments in the area and close down any existing establishments. I have experienced harassment simply having to walk past these establishments in other areas. I know women who have worked in strip clubs including [...] and they have suffered terrible working conditions, contracts, they have been sexually harassed and raped by both punters and management. They have been expected to sell sex to punters, turning the clubs into illegal brothels, drugs and other crimes are committed in these venues and some of my ex stripper friends have been trafficked into prostitution as pimps look for women in these establishments. Don't let Bournemouth accommodate these abuses, exploitations and crimes. Give women the support they need when they want to exit the sex trade instead and help them find less exploitative jobs.”

Appendix 1: Respondent profile

Age

16 - 24 years	18	9%
25 - 34 years	40	20%
35 - 44 years	38	19%
45 - 54 years	47	23%
55 - 64 years	29	14%
65+ years	18	9%
Prefer not to say	14	7%

Gender

Female	123	60%
Male	66	32%
Other	1	0%
Prefer not to say	15	7%

Transgender

Yes	2	1%
No	179	90%
Prefer not to say	18	9%

Sexual orientation

Heterosexual / straight	127	63%
Asexual	0	0%
Bisexual	17	8%
Gay man	11	5%
Lesbian / gay woman	8	4%
Other (specify below if you wish)	1	0%
Prefer not to say	39	19%

Disability

Yes - limited a lot	12	6%
Yes - limited a little	27	13%
No	143	70%
Prefer not to say	21	10%

Ethnicity

White British	148	73%
Other white	18	9%
BAME	13	6%
Prefer not to say	25	12%

Religion

No religion	106	52%
Christian	63	31%
Any other religion or belief (please specify below if you wish)	11	5%
Prefer not to say	23	11%