

APPENDIX 3

29.03.22

Objection to the renewal of Wiggles Sexual Entertainment Venue Licence.

As the portfolio holder for Culture and Vibrant Places, it is my view that there is no place within Bournemouth, Poole or Christchurch, of which it could be said that it was situated in a locality in which it would be appropriate to licence a sex establishment. I wish to object in the strongest terms to the renewal of Wiggles licence and ask the committee to refuse the application for the reasons stated below.

Cultural Strategy

The Cultural Compact is about to begin the development of a 10 year Cultural Strategy for the BCP area. It will encompass all aspects of culture, arts and heritage. The direction of the night-time economy and range of venues will be considered within this strategy, which will reflect BCP's world class ambitions. As the portfolio holder setting the vision, I can say with absolute certainty that venues, which profit from sexual exploitation and promote a harmful sexist culture, are not compatible with being a world-class destination.

Locality of Wiggles

Despite efforts by the council to make the area safer, Horseshoe Common and Christchurch Road suffers from ASB. The common itself has proven to be unsafe and attracts the sort of behaviour not welcome anywhere in BCP. Low-end establishments exacerbate this. Two SEV's ensure it is firmly on the bottom rung of the night-time economy. This is especially disturbing to nearby residents.

ASB and poor behaviour can be designed out by revitalising the area in a way that will attract families. Bournemouth markets itself as a family destination. SEV's do not support that ethos and have a damaging and downgrading impact on any area they are to be found.

Within Vibrant Places I have an aspiration to create a Cultural Action Zone in the Horseshoe Common area to make it a safe place for visitors and residents, in particular to attract young people and families. A change of identity will percolate into Christchurch Road and slowly bring about a change of the area, attracting a different crowd.

This will drive up the quality of the area so that residents and visitors can enjoy a safe and pleasant environment. SEV clientele are the complete opposite of the visitor we want to attract, not just to this area but to the conurbation, and exploitation based businesses should not be removed. There is certainly no place for them in an area

that will be designed for families and young people who need positive role models and messages.

“...you have to make a value judgement, that’s why you are elected.. the law states that you can refuse simply because the venue is in the wrong place...” [Kolvin, QC](#)

Public Sector Equality Duty

BCP Council has a duty to take into account the impact of their decision on human rights and protected groups as defined under the equality Act. Those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Lap dancing clubs are in direct contradiction with equality between men and women, and normalises men’s sexual objectification of women. Their operation has a negative impact on women and girls as a sex class.

Activities within the clubs are detrimental to gender equality. Eg. the simulation of sexual activity by naked female performers on the floor of the private booths for men’s pleasure. The activities within private booths also breach the council’s own SE policy, which states performances must not be lewd.

Working conditions and terms of employment of lap dancers are inadequate. Female performers must pay to perform, pay for costumes, whilst male door and bar staff have employment rights.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Women, who already feel unsafe in the public realm, avoid areas where lap dancing clubs are situated. The Royal Institute of Town Planning has further drawn attention to concerns regarding the impact of lap dancing clubs on women in the local areas: ‘Evidence shows that in certain locations, lap dancing and exotic dancing clubs make women feel threatened or uncomfortable.’ The genuine concerns expressed by women in two consultations should not be dismissed as moral objections when they are clearly issues of safety, equality and discrimination.

SEV’s exploit the economic instability of women and obstruct progress towards equality between women and men. Their equality impact, which is negative, cannot be mitigated.

How is the Council's endorsement of men buying sexual services from women, though licencing and re-licencing of SEV's advancing equality between the sexes and how is this giving due regard to its PSED?

The link between sexual objectification and violence against women

Hundreds of women's organisation work every day with the end result of socially entrenched sexism, namely domestic abuse and sexual violence. In the national and international women's sector **there is no doubt that the sexual objectification of women – as practiced in SEVs – is directly linked to the incidence of sexual and domestic violence.**

To be clear, this is not a matter of opinion or conjecture. The link between the objectification of women and discrimination and violence towards women is recognised at an international level by the legally binding [United Nations Convention to Eliminate Discrimination Against Women](#), which repeatedly calls upon states – including the UK government – to take action against the objectification of women.

The End Violence Against Women Coalition's research evidences *“that girls face intolerable levels of harassment in schools on a daily basis. Access to pornography while at school is commonplace and nude images are traded like football stickers. Outside the classroom, abuse of women and girls continues at alarming rates in our society: **two women are killed each week** by partners or former partners, **almost half a million rapes and sexual assaults happen each year in England and Wales.**”*

The normalisation of porn culture and the objectification of women as a sex class is apparent every day in our society. Lap dancing clubs normalise the representation of women as being always sexually available. The links between the expansion of lap dancing clubs and an increase in the levels of sexual violence have been raised by organisations who work with victims and perpetrators of gender-based violence.

Strip Clubs promote a harmful sexist culture. They promote and profit from sexist attitudes that pave the way for misogyny, male sexual entitlement and male violence against women and girls. We cannot tackle male violence unless we address the sexist culture that underpins it.

How can BCP hope to eliminate sexual abuse and violence against women and girls if it's licencing authority supports this harmful sexist culture of dehumanising and objectifying women and girls, and normalises the buying and selling women's of bodies?

You can say No!

SEV's licencing legislation is entirely separate to the Licensing Act, that is to say the four licensing objectives have no relevance to SEV policy or an application to licence or re-licence an SEV.

Councils have sweeping powers to refuse to *relicense* on the grounds of locality. This is regardless of any change in locality or any other material changes whatsoever. This has been widely confirmed by case law, judges and other experts. Furthermore, operators have no legal grounds to challenge such a decision. Those that do must go to the High Court, a very difficult route. None have ever succeeded. Frequently the case is instantly dismissed without being heard.

Strip clubs have no legal grounds to challenge a decision not to relicense.

'Licensing authorities are entitled to 'have a fresh look' and may refuse to relicense 'even where there has been no material change in circumstances' P Kolvin

Despite the current SEV policy attempting to fetter the committee's power by giving existing clubs acquired rights, the law says that pre-existing clubs **cannot** be treated differently from new applicants.

*"Parliament has drawn no distinction between grant and renewal of an SEV licence. To make a distinction would fetter the discretion of the local authority in cases of renewal, which Parliament has not done" **Thompson V Oxford City Council***

*"... **the statute imposes no constraint** upon a Local Authority's discretion when it is considering a **renewal** ... In my judgement it is not perverse to refuse a renewal where there is no change in the character of the relevant locality or in the use to which any premises in the locality are put." **Thompson V Oxford City Council***

Please take the lead from other councils who are taking action by refusing to re-license these harmful clubs.

note: Philip Kolvin, QC, is the legal authority on SEV licensing – he wrote the legislation.

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Objection to the renewal of the SEV license for Wiggle

I wish to object on the following grounds:

I have witnessed the club breaking its license conditions by having a dancer leaflet businesses and people local to the club whilst wearing a branded jacket.

The toilets are not safe for women customers. To enter the door to the women's is inside the men's toilet. I have never seen such a bizarre setup but for a SEV it is particularly unsafe.

I have personally been subject to sexual harassment from customers leaving this establishment.

How does the club protect female customers from being propositioned in the club on the assumption they are dancers?

The self employed status of dancers in this establishment along with the fee the dancer must pay the club leads to leads to competition is at odds with keeping to the licence conditions. There is little incentive for dancers to adhere to rules when they risk losing opportunities to dance to others who break rules. An example of the competitive issues is here:

<https://www.bournemouthecho.co.uk/news/19093502.amp/>

The area around this venue has changed dramatically over recent months and years. There is several new family based cafes in the area there are family restaurants and the student accommodation nearby has also increased. The area is moving from a stag night economy to families.