

**South Ayrshire Council**

**Report by Chief Governance Officer  
to Cabinet  
of 18 February 2025**

---

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

---

**1. Purpose**

- 1.1 The purpose of this report is to provide Members with an update following the second public consultation on the licensing of Sexual Entertainment Venues (SEVs) in South Ayrshire and, in light of the consultation responses and other information provided, ask the Cabinet to determine the appropriate number of SEVs for South Ayrshire and each relevant locality.

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

- 2.1.1 considers the information in this report, including the responses to the recent public consultation exercise, detailed in Appendix 1;
- 2.1.2 considers the Options detailed in paragraph 4.1 below;
- 2.1.3 agrees to follow Option 1 and resolves to specify the appropriate number of SEVs in the South Ayrshire area at zero, with no relevant locality for such venues identified;
- 2.1.4 approves the draft Statement of Policy on the Licensing of SEVs, detailed in Appendix 2, taking into account the decision at paragraph 2.1.3 above;
- 2.1.5 approves the fee for an application for grant or renewal of an SEV licence as £2,275; and
- 2.1.6 grants delegated power to the Service Lead, Legal and Licensing, to finalise the draft SEV Statement of Policy at Appendix 2 and arrange for publication of the appropriate Notice at least 28 days prior to the proposed date of implementation of the SEV licensing regime, 1 May 2025.

### **3. Background**

- 3.1 The Air Weapons and Licensing (Scotland) Act 2015 added new sections to the Civic Government (Scotland) Act 1982 and introduced an optional licensing scheme for local authorities to license SEVs in their area.
- 3.2 An SEV is defined 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. 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 12-month period are exempt – for example, premises that cater for the occasional stag or hen party.
- 3.3 In the absence of an SEV licensing scheme as provided for by the new legislation, licensed liquor premises have been able to seek approval to include Adult Entertainment as one of the licensed activities in their Operating Plan for their liquor licence. However as this related to the sale of alcohol as part of the liquor licence, it did not allow for a full regulatory system to be imposed and enforced in relation to the provision of the entertainment. Historically in South Ayrshire, there have only been 2 premises which have previously had this included in their Operating Plans, one is not currently in operation and the other is closed and no longer operates as a licensed premises.
- 3.4 The Scottish Government issued guidance to Local Authorities on 28 March 2019 in relation to the licensing of SEVs. Following this, at its meeting on 20 August 2019, Leadership Panel directed officers to carry out an initial public consultation on the principle of adopting a licensing regime, and this was published on the Council's website between 30th August and 31 October 2019. The responses to this first consultation were included in the subsequent report to Leadership Panel on 18 February 2020 (link included in the Background Papers section below), but are attached for ease of reference, as Appendix 3.
- 3.5 If a local authority decides to introduce SEV licensing it requires to specify 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. Not less than 28 days prior to the commencement date the Council require to publish a notice advertising that they have passed a resolution to license SEVs in the area and the general effect of the licensing provisions. At its meeting on 18 February 2020, the Leadership Panel resolved to introduce a new SEV licensing scheme, and agreed an implementation date of 1 March 2021, to provide the required interim time period of 12 months. During this 12-month period, the Council required to draft and publish an SEV policy statement, which would provide guidance on the details of the licensing system, including the types of premises to be licensed, and the appropriate number of premises in each locality. In order to formulate the policy, further consultation and evidence gathering exercises required to be undertaken. Scottish Government Guidance states that it is best practice for local authorities to consult with persons with an interest, and that this should include violence against women partnerships, child protection committees and community councils, as well as Police Scotland and local business communities, including any existing operators. However, this exercise was delayed as a result of the subsequent Covid 19 pandemic, which meant that Council resources required to be focused on other priorities over a significant period of time.

- 3.6 At the Cabinet meeting of 12 March 2024 Members noted the original Leadership Panel decision of 18 February 2020 to introduce a licensing regime for SEVs and amended the date of implementation of the regime to 1 May 2025, to allow for a further public consultation and the finalisation of the policy details. A second public consultation has now been carried out, which sought views on:
- What the appropriate number of SEVs in South Ayrshire, or localities within South Ayrshire, should be; and
  - What locations would, or would not be, appropriate
- 3.7 The consultation was open from 30 August to 11 October 2024 (although an extension of time was granted to Police Scotland, with the consent of the Portfolio Holder Councillor Kilbride, to allow them to submit a response by 25 October). As well as being published on the Council's external website, the consultation was also sent to all the agencies, bodies and individuals detailed in Appendix 4.
- 3.8 There were 20 responses in total, with 1 response from a Councillor, 3 responses from Community Councils, 8 from members of the public and 8 from relevant organisations, including South Ayrshire Violence Against Women Partnership (and separately from the STAR Centre: Rape Crisis), the NHS Public Protection Health Team, South Ayrshire Alcohol and Drug Partnership and Police Scotland. Copies of the responses are included as Appendix 1.
- 3.9 Eight respondents specified that the appropriate number of SEVs in South Ayrshire should be zero/none. Most of the remaining respondents indicated that they were opposed to any such venues operating in South Ayrshire. These respondents did not specify the appropriate number of SEVs but from the terms of their responses, it can be presumed their preference is for zero. One response was incomplete, and a preference cannot be assumed from its terms.
- 3.10 The Police Scotland response states that it has no evidence that SEVs located in other local authority areas contribute negatively to crime or disorder and as such, Police Scotland offered no opinion on the number of SEV's that should be licensed in the area of South Ayrshire. However they did advise that strong consideration be given to excluding locations where children had regular access, or attend for leisure or educational purposes, due to concerns around children being exposed to inappropriate content/activities either directly or indirectly. They also noted that SEVs could attract crowds late at night which could lead to noise or disturbances from patrons leaving venues, and potential impact on quality of life for local residents nearby.
- 3.11 The response from Police Scotland did recognise the value of having a licensing scheme in place, to regulate this kind of entertainment should it occur, rather than it remaining an unlicensed activity, and this was also reflected in a number of the responses to the first consultation in 2019. However the response from NHS Ayrshire and Arran's Public Protection Health Team indicated that in their view, '...licensing cannot fully protect individuals from the underlying issues of exploitation and abuse that are often associated with this industry'. Responses from other agencies such as the South Ayrshire Violence Against Women Partnership, the Health and Social Care Partnership, NHS Ayrshire and Arran Public Protection Health Team, the Council's Trauma-Informed Practice Officer, NHS Ayrshire and Arran Public Health Department, and South Ayrshire Alcohol and Drug Partnership, all indicated their view that the number of SEV licences should be zero and there was no locality which would be acceptable for these. They provided a range of

reasons as detailed in Appendix 1, including concerns that having such venues would not align with Scotland's Equally Safe Strategy (2023) and Delivery Plan, and its aims to prevent and eradicate violence against women and girls; concerns that it would contradict the Council's commitment under the National Trauma Transformation Program to prevent adverse childhood experiences and trauma; concerns that such venues would perpetuate harmful stereotype and be in direct conflict with the Council's commitment to promoting equality and safeguarding vulnerable groups; and concerns regarding the vulnerability of both performers and customers.

#### **4. Proposals**

4.1 The options for the Cabinet are as follows:

4.1.1 Option 1 is that the Cabinet can set the number of SEV licences for the South Ayrshire area at zero, effectively constituting a ban on the grant of future applications under the legislation.

4.1.2 Option 2 is that the Cabinet can choose to set a specific number above zero of SEV licences for the South Ayrshire area.

4.2 If the Cabinet chooses Option 1, this would mean that any future SEV licence applications received could not be processed and determined without the Council's SEV policy first being formally amended by the Cabinet, following conclusion of a further consultation process. If the Cabinet chooses Option 2, future SEV licence applications up to, but not exceeding, the number set in the policy could be considered. Any such applications would be processed and if necessary, referred to Regulatory Panel (Licensing) for a determination, whether to grant or refuse, without having to formally amend Council policy through the Cabinet first.

4.3 Members should take into account the information in this report, including the responses to the two consultations, and decide if the appropriate number of SEVs in South Ayrshire should be zero, or a number greater than zero. If the Cabinet wishes to specify a number greater than zero, it should also specify what locations would, or would not, be appropriate for such venues. This information will be included in the draft policy statement attached as Appendix 2, enabling the policy to be finalised and published at least one month prior to the proposed implementation date of 1 May 2025.

4.4 It is proposed that the recommendation to the Cabinet is to adopt Option 1 in paragraph 4.1.1 above ie to set the number of SEV licences in the South Ayrshire area at zero. This accords with the overwhelming majority of views expressed in the consultation responses detailed in Appendix 1, including those from partner organisations such as South Ayrshire Violence Against Women Partnership, the Health and Social Care Partnership, NHS Ayrshire and Arran Public Protection Health Team, the Council's Trauma-Informed Practice Officer, NHS Ayrshire and Arran Public Health Department, and South Ayrshire Alcohol and Drug Partnership.

4.5 In the event of the Cabinet choosing to adopt Option 2 in paragraph 4.1.2 above and setting a specific number above zero, Members should also specify the locality in the South Ayrshire area, which they consider relevant for such venues.

**5/**

## **5. Legal and Procurement Implications**

- 5.1 The Cabinet should note the outcome of a relevant judicial review case, decided on 10 February 2023, against the City of Edinburgh Council, which clarified the legal position in the setting of the number of SEV licences at zero under the legislation. The United Sex Workers, a branch of the United Voices of the World Trade Union, challenged the City of Edinburgh Council's decision to set the number of SEVs licences at zero. The Court of Session judge, Lord Richardson, found against the Council, based on the legal advice which had been provided to the Edinburgh councillors, and reduced the Council's decision. Lord Richardson looked at the legal advice given to the Edinburgh councillors, which was to the effect that if they set the number at zero, this created a 'rebuttable presumption' against the granting of future SEV licences but did not constitute an out and out ban. Future licence applications could be considered, and granted, dependent on the merits of each application. However Lord Richardson disagreed. The appeal court made it clear that if a council wishes to set the number at zero, it can do so. The legislation is clear on this. However, in setting the number at zero, a council cannot grant *any* subsequent SEV licences without formally altering the council's SEV policy. Zero means zero.
- 5.2 The City of Edinburgh Council did not appeal the case. The Council's regulatory committee thereafter reconsidered their policy decision, choosing to set the number at three, rather than zero.
- 5.3 Across Scotland, councils in some urban areas have also specified a number of SEVs above zero for example, City of Glasgow Council have set their number at three, and City of Aberdeen Council have set their number at six.
- 5.4 Scottish Borders Council, Dumfries and Galloway Council and East Ayrshire Council have all set their number at zero.
- 5.5 There are no procurement implications arising from this report.

## **6. Financial Implications**

- 6.1 A fee will require to be set for a SEV licence as part of the policy. The proposed licence fee for grant or renewal of a licence is £2275.00, which mirrors the current fee for a Sex Shop licence.

## **7. Human Resources Implications**

- 7.1 Not applicable.

## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

- 8.1.1 If Members agree the recommendation in paragraph 2.1.3, and decide to set the number of SEV licences in the South Ayrshire area at zero, this will be in accordance with the overwhelming majority of views provided in the responses to the consultation, including those from a number of partner agencies and Community Councils. However there is a risk that if an application for a licence is subsequently received, there will be further administrative cost and delay incurred by the Council in going through a

process to consider whether to amend the Council's SEV policy before such an application can be considered.

## 8.2 **Risk Implications of Rejecting the Recommendations**

8.2.1 If Members reject the recommendation in paragraph 2.1.3, and decide to set a number above zero for the potential number of SEV licences in the South Ayrshire area, this action will not be in accordance with the majority of responses to the public consultation, and there is therefore a risk of reputational damage for the Council. However this risk is mitigated by the fact that any subsequent application for an SEV licence would require to be considered and assessed in terms of the Council's SEV policy, and where necessary determined by the Regulatory Panel (Licensing).

## 9. **Equalities**

9.1 An Integrated Impact Assessment has been carried out on the proposals contained in this report, which identifies potential positive impacts of agreeing the recommendations. The IIA Summary Report is attached as Appendix 5. No significant negative impacts have been identified.

9.2 A copy of the fully completed IIA can be accessed here [Legal IIA -SEV Report 17.1.25.xlsm](#).

## 10. **Sustainable Development Implications**

10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## 11. **Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## 12. **Link to Council Plan**

12.1 The matters referred to in this report contribute to Priority Two of the Council Plan: Live, Work, Learn/ Work and Economy (Outcome 2).

## 13. **Results of Consultation**

13.1 There have been two consultations in relation to this matter. The first public consultation was in 2019 in relation to the principle of having a licensing regime for SEVs. The responses to that consultation are contained in Appendix 3 to this report. The second public consultation in relation to the proposed number of venues and location was in 2024. The responses to that consultation are contained in Appendix 1 to this report.

13.2 Consultation has taken place with Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and Environment, and the contents of this report reflect any feedback provided.

## 14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Chief Governance Officer will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<b>Implementation</b>	<b>Due date</b>	<b>Managed by</b>
Finalise draft SEV policy	10 March 2025	Service Lead – Legal and Licensing
Advertise required Notice of policy prior to implementation date	24 March 2025	Service Lead – Legal and Licensing

**Background Papers**     [\*\*Air Weapons and Licensing \(Scotland\) Act 2015\*\*](#)

[\*\*Scottish Government Guidance on Sexual Entertainment Venues\*\*](#)

**Report to Leadership Panel of 18 February 2020 - [\*\*Civic Government \(Scotland\) Act 1982 – Proposed Licensing of Sexual Entertainment Venues\*\*](#)**

**Report to Cabinet of 12 March 2024 – [\*\*Civic Government \(Scotland\) Act 1982 - Licensing of Sexual Entertainment Venues\*\*](#)**

**Person to Contact**     **Catriona Caves, Chief Governance Officer**  
**County Buildings, Wellington Square, Ayr, KA7 1DR**  
**Phone 01292 612556**  
**E-mail [catriona.caves@south-ayrshire.gov.uk](mailto:catriona.caves@south-ayrshire.gov.uk)**

**Date: 11 February 2025**

**Responses from Sexual Entertainment Venues Consultation**

Responder	Response	Date Received
<p><b>Dundonald Community Council</b></p>	<p>Dundonald Community Council discussed these questions at our September meeting with the decision being that there should be no SEVs across the whole of South Ayrshire. We discussed safety and protection of both males and females employed in such venues.</p> <p>Dundonald Community Council agreed that there should no such establishments across the whole of the Council area. We represent a semi rural environment.</p>	<p><b>17/09/24</b></p>
<p><b>Violence Against Woman Partnership - ED</b></p> <p><b>Manager, The STAR Centre: Rape Crisis Ayrshire</b></p>	<p>Dear Mrs Briggs</p> <p><b>Re: Opposition to the Implementation of Sexual Entertainment Venue (SEV) Licenses in South Ayrshire</b></p> <p>I am writing on behalf of The STAR Centre: Rape Crisis Ayrshire to express our strong opposition to the introduction of Sexual Entertainment Venue (SEV) licenses in South Ayrshire. We do not accept that any locality within South Ayrshire is suitable and believe that zero is the only acceptable number of these venues.</p> <p>Scotland’s Equally Safe Strategy (2023) emphasises the importance of creating a society where women and girls live free from violence and the attitudes that perpetuate it. SEVs normalises harmful attitudes about women such as the idea that women are objects to be used for sexual gratification. As a result, the sex industry not only encourages violence against women but is</p>	<p><b>17/09/24</b></p>



Responder	Response	Date Received
	<p>violence against women. Indeed, this assertion is supported in scientific studies that illustrate clear links between the consumption of adult entertainment and sexual violence towards women.</p> <p>Activities that occur within SEVs such as stripping and pole dancing, amongst others, are considered to be within the remit of commercial sexual exploitation as defined in Scotland's strategy Equally Safe (2023). Commercial sexual exploitation is defined as a form of violence against women and girls within this co-owned Scottish Government and COSLA policy. There are clear links identified between commercial sexual exploitation and exposure to further forms of violence. We recognise that although women might also purchase sex, the overwhelming majority of those who buy sex tend to be men.</p> <p>The Scottish Government's recently published strategic approach to <i>Challenging and deterring men's demand for prostitution and supporting the recovery and sustainable exit of those involved in prostitution</i> is aligned to Equally Safe (2023) and reinforces that there is no place for commercial sexual exploitation in Scotland.</p> <p>In guidance supplied to licensing boards in January 2023 (Licensing (Scotland) Act 2005 Section 142 Guidance for Licensing Boards) it set out clearly that the objective of preventing crime and disorder relates not only to alcohol related crime and disorder within or immediately within the vicinity of licensed premises but that consumption of alcohol is related to issues of domestic violence and that licensing boards should work with key partners to reduce the risk to women and girls</p>	

Responder	Response	Date Received
	<p>Furthermore, the introduction of SEV licenses would be in direct conflict with the Council's commitment to promoting equality and safeguarding vulnerable groups. The Equally Safe Strategy calls for a collaborative approach involving local authorities, communities, and organisations dedicated to ending violence against women.</p> <p>It is crucial that South Ayrshire Council's decisions align with Scotland's Equally Safe strategy to ensure a cohesive and effective response to gender-based violence and refusing any SEVs in any locality in South Ayrshire is crucial in achieving this.</p> <p>Yours sincerely</p> <p>ED</p> <p>Manager, The STAR Centre: Rape Crisis Ayrshire</p>	
<b>HSCP - LP</b>	<p>I am writing to express a strong objection to the introduction of Sexual Entertainment Venue (SEV) licenses in South Ayrshire. My objection is rooted in the principles of the Scottish Government's Equally Safe Strategy (2023) and its latest delivery plan which aims to prevent and eradicate violence against women and girls.</p> <p>Allowing SEVs to operate within South Ayrshire is an obvious contradiction to this principle, and it is going to lead to even more objectifying of women, hiding behind the curtain of entertainment. There is clear research that indicates that where there are entertainment venues where sexual entertainment, this can foster conditions detrimental to young women and impact on their safety. Endorsing these licences will undermine any progress already made towards gender equality and protection of women's rights.</p>	<b>17/09/24</b>

Responder	Response	Date Received
	<p>The licenses would also be in conflict with the Council's commitment to promote equality and safety to vulnerable groups. I would urge the Council to reconsider the licensing of SEVs and prioritise the safety and well-being of all women in South Ayrshire</p> <p>Regards</p> <p>LP</p>	
<p><b>Belmont &amp; Kincaidston Community Council</b></p>	<p>Dear Ms Briggs,</p> <p>At a meeting of Belmont and Kincaidston Community Council on 5/9/24 in Belmont Academy the members unanimously agreed to put forward their view to South Ayrshire Council that the number of Sexual Entertainment Licences in South Ayrshire should be nil.</p> <p>In respect of this view, we did not consider which locations would be appropriate but it can be assumed that we would not find any locations in South Ayrshire to be appropriate for the granting of an SEV licence.</p> <p>Yours sincerely,</p> <p>Ms C B Chair/Secretary Belmont &amp; Kincaidston Community Council</p>	<p><b>10/09/24</b></p>
<p><b>MH</b></p>	<p>To whom it may concern,</p> <p>South Ayrshire Council should be ashamed of themselves!</p> <p>We have needles in the streets, broken glass everywhere, rubbish, rats in housing estates and this is where we are now taking Ayr...strip clubs really?</p> <p>This is being suggested by the same people who during election time are greeting families in the street to promise change and improvement for our town and this is the best you could come up with.</p> <p>Would LOVE to see a political party that ACTUALLY has the towns best interest along with it's communities. Instead of money greedy, self entitled idiots!</p> <p>How about suggesting things like neurodiversity centers for the rising population of children that struggles with socialising, safe zones for teenagers to hang out with their friends, to do you know "Kid Stuff".</p>	<p><b>02/10/24</b></p>

Responder	Response	Date Received
	<p>Establishments like more book shops, craft shops, adult entertainment like axe throwing, dry skiing, if you are struggles for ways to improve I'm sure there are plenty of people with great ideas!</p> <p>I'm a 33 year old mother who lives in North Ayr, our schools are a disgrace our environment is a disgrace and the fact this has even been suggested is sickening!</p> <p>DO BETTER</p>	
<b>MG</b>	<p>I would like to say I strongly disagree with allowing an SEV into Ayrshire. It is bad enough with crime and youths around the area just now. If on of these is opened it will attract all sorts of people, resulting in people from further away to visit with a higher increase of violence and sexual attacks in the street. I do not think this is a great idea at all. Michelle G</p>	<b>02/10/24</b>
<b>KJM</b>	<p>I strongly oppose the granting of SEV's in South Ayrshire.</p> <p>This county has always been known as family oriented.</p> <p>It draws families and youngsters from all over.</p> <p>We do not want it to become a sleazy cesspool for undesirables and the associated drug and gangster fraternity that feeds on them.</p> <p>Yours sincerely KJM</p>	<b>02/10/24</b>
<p><b>Violence against Women Partnership - Councillor Laura Brennan-Whitefield (SAC Violence Against Women Partnership Chair)</b></p>	<p>Please find attached the South Ayrshire Violence Against Women Partnership's formal response to the ongoing consultation regarding the introduction of Sexual Entertainment Venue (SEV) licenses in South Ayrshire. As outlined in our attached letter, the Partnership strongly opposes the licensing of SEVs in line with our commitment to the Scottish Government's Equally Safe Strategy, which seeks to prevent and eradicate violence against women and girls.</p> <p>In response to point 5.1 of the consultation, we believe that the appropriate number of SEVs in South Ayrshire should be <b>zero</b>, as these venues are inconsistent with the Council's commitment to gender equality and the protection of vulnerable groups. We also strongly believe that <b>no location</b> within South Ayrshire is suitable for such venues, given the potential risks they pose to the safety and dignity of women.</p>	<p><b>02/10/24</b> <b>08/10/24- amended</b></p>

Responder	Response	Date Received
	<p>Should you require any further information or clarification regarding our position, please do not hesitate to contact me.</p> <p>Dear Mrs Briggs</p> <p><b>Re: Opposition to the Implementation of Sexual Entertainment Venue (SEV) Licenses in South Ayrshire</b></p> <p>I am writing on behalf of the Violence Against Women Partnership to express our strong opposition to the introduction of any Sexual Entertainment Venue (SEV) licenses in South Ayrshire. Our stance is firmly rooted in the principles of the Scottish Government’s Equally Safe Strategy (2023) and its latest Delivery Plan, which aims to prevent and eradicate violence against women and girls.</p> <p>The Equally Safe Strategy emphasises the importance of creating a society where women and girls live free from violence and the attitudes that perpetuate it. Allowing SEVs to operate in South Ayrshire directly contradicts this vision by normalising and commercialising the objectification of women. Such venues contribute to a culture that devalues women and can lead to increased instances of gender-based violence.</p> <p>Research has consistently shown that environments where sexual entertainment is provided can foster conditions detrimental to the safety and well-being of women. These venues often perpetuate harmful stereotypes and can create spaces where exploitation and abuse are more likely to occur. By licensing SEVs, South Ayrshire Council would be endorsing a practice that undermines the progress made towards gender equality and the protection of women’s rights.</p> <p>Furthermore, the introduction of SEV licenses would be in direct conflict with the Council’s commitment to promoting equality and safeguarding vulnerable groups. The Equally Safe Strategy calls for a collaborative approach involving local authorities, communities, and organisations dedicated to ending violence against women. It is crucial that South Ayrshire Council’s decisions align with this strategy to ensure a cohesive and effective response to gender-based violence.</p> <p>In light of these concerns, we believe that the appropriate number of SEVs for South Ayrshire should be zero, as there are currently no SEVs in the area. We urge the Council to ensure that no locations within South Ayrshire are designated for SEVs.</p>	

Responder	Response	Date Received
	By rejecting this proposal, South Ayrshire Council will demonstrate its commitment to upholding the values of equality, respect, and justice as outlined in the Equally Safe Strategy and Delivery Plan.	
<b>JY</b>	Absolutely not in ayr as a council tax payer i do not want this type of venue in my town ..	<b>02/10/24</b>
<b>FS</b>	<p>Hi</p> <p>I live in Ayr and I for object to this happening because the town is bad enough with no shops, nothing for the young ones to do etc I think by putting something like this in the town is degrading to the women who would work there and cause more trouble within relationships/ marriages also setting a bad example to the younger generations growing up around us.</p> <p>Ayr doesn't need this and it's definitely not entertainment there's enough sick sad individuals around as it is without encouraging more weirdos to come out the woodwork.</p>	<b>02/10/24</b>
<b>JM</b>	<p>Good morning</p> <p>In response to the local authority, namely South Ayrshire Council, and the second consultation regarding the licensing of SEV I wish to share my views on the matter.</p> <p>South Ayrshire is an area of small towns and villages. Ayr, by far being the largest by population. Therefore licensing of SEVs would undoubtedly fall within this immediate area.</p> <p>As a member of the public reading and working within SAC I am not adverse to growth and development to enhance Ayr and surrounding areas.</p> <p>I also believe new ventures would bring financial benefits to the community and would likely enhance employment for local people.</p> <p>However, and this is my however, SEVs attract a niche market, such as within a large city. Not within a small community, town or village. Ayr town has undergone some harsh changes owing to retail parks, COVID and lack of investment.</p>	<b>02/10/24</b>

Responder	Response	Date Received
	SAC have a duty to Sent from my iPhone	
<b>ED</b>	I am responding as a member of the public, as a mother of daughters. The appropriate number of venues is zero. This is not the job opportunities we want for the girls in our area. There are many vulnerable young women who could be enticed into this. We do not want men hanging around pre or post this entertainment. We don't want the inevitable drunk stag groups. I lived in Edinburgh for many years and there was an area of town notorious for having a couple of these venues and it was seedy. This type of venue should be consigned to the past. Is this to be our town's reputation - drugs and sex venues?	<b>02/10/24</b> <b>03/10/24</b>
<b>AD</b>	It's the last thing this town needs is a strip joint!! Can hardly buy a thing in the town but I can go view strippers? Wow!! No wonder this town is a shambles with those views, a place for perverts to hang about!!	<b>02/10/24</b>
<b>Cllr Gavin Scott</b>	Good Morning Karen, Thank you for your informative email regarding SEVs, I wish to make it clear that I am opposed to such venues opening in South Ayrshire, as they are not attractive to many of the residents residing here in South Ayrshire. Kind regards	<b>05/10/24</b>
<b>NHS Ayrshire and Arran's Public Protection Health Team</b>	To whom it may concern,  The following is a collated response from the NHS Ayrshire and Arran Public Protection Team which comprises of Child Protection, Adult Support and Protection and MARAC. Through discussion, the Public Protection Teams response is that the suitable number of Sexual Entertainment Venues (SEVs) is zero and as such there is no suitable venue for SEVs in South Ayrshire.	<b>08/10/24</b>

Responder	Response	Date Received
	<p>Therefore, we are writing to express our opposition to the proposal for licensing of SEVs in South Ayrshire. While regulation might be seen as a way to control such establishments, there is an abundance of evidence which shows the introduction of SEVs can and does cause gradual and significant harm including but not limited to;</p> <ul style="list-style-type: none"> <li>• Continued commercial sexual exploitation (CSE) of workers (primarily women)</li> <li>• Creating a workforce of sex workers who are also more vulnerable to financial exploitation, poor mental health and safety risks.</li> <li>• Increased crime within the vicinity of SEVs including reported rapes of women, and harassment and assault towards women and girls in the area of the SEV.</li> </ul> <p>While there has been recent attempts to protect the wellbeing and rights of sex workers, such as the Sex Workers Trade Union (2018), there largely remains significant harms and risks towards SEV performers due to the nature of their work and environment created by catering to the misogynistic view of male 'need'. The Scottish Governments Commercial Sexual Exploitation multi-agency group (2024) has policy approaches based on the Equally Safe Strategy (2023) which describes CSE, including lap dancing and stripping, as a form of violence against women. The CSE of the SEV performers continues with many SEVs requiring performers to pay a fee to be able to dance, pay commission on each dance they give, and are often subject to harsh financial 'fines' such as when using mobile phones or arriving late meaning that the actual amount earned by performers can vary greatly and is entirely unreliable. Due to the operating hours and nature of the work, SEV performers are often students, migrant workers or single mothers who are more likely to experience financial insecurity, driven by financial desperation or vulnerable circumstances. With the continued cost of living crisis driving more people to sex work to get by, the increasing financial vulnerability and the potential that performers are being coerced or manipulated due to their financial status should not be ignored.</p> <p>The financial vulnerability of the performers also runs alongside increased poor mental health and wellbeing of performers including increased reports of depression, anxiety, poor productivity and higher rates of disordered eating. And the risk towards the physical safety of performers is heavily implied when a requirement of SEVs Licenses is that a performer has to be escorted to her car or named taxi by security, or another named person, at the end of the night which speaks</p>	



Responder	Response	Date Received
	<p>volumes at the fear of what might happen to a woman who has simply finished her shift, because of the type of work she does, and the clientele that attracts. Routes into becoming a sex worker are unique to the individual woman but often include, poverty, history of sexual abuse, and unequal status in society with clear links identified between CSE and exposure to further forms of violence.</p> <p><b><u>Therefore it is clear that SEVs provide legal means of commercial sexual exploitation, financial exploitation and significant harms towards female staff member’s mental health, wellbeing and physical safety.</u></b></p> <p>While the licensing framework aims to provide oversight, it may inadvertently legitimise and normalise the objectification and exploitation of individuals, particularly women, perpetuating a culture of misogyny and disrespect. By establishing a formal licensing regime for Sexual Entertainment Venues (SEVs), the Council could send the message that such activities are acceptable and even endorsed by the community. This normalisation can contribute to a broader cultural acceptance of viewing women as commodities to be bought and sold, undermining the significant progress that has been made in promoting gender equality and challenging harmful stereotypes.</p> <p>This not only affects the performers but also influences societal attitudes, particularly among younger generations who may perceive this as a standard or acceptable way to treat others. It contradicts our collective efforts to foster an environment where all individuals are valued for their inherent worth, skills, and contributions beyond their physical appearance.</p> <p>Due to the normalisation of public sexual objectification of women that SEVs are responsible for, the efforts to create gender equality are greatly undermined causing significant concern as to how this can and will affect the safety of girls and women who live and work in the vicinity of any SEV opened in South Ayrshire. Research by the Lillith Project found that reported rapes are 50% higher for those living in the vicinity of SEVs and that less measurable gendered harms such as harassment, fear and/or threat of assault also increase for women and girls who live and/or work in the vicinity with SEVs creating the presence of a predatory and sexually aggressive environment in which women and girls may become fearful often creating a "no-go" area. The public and misogynistic focus on male entitlement and “need” that SEVs provide contribute to the violence and aggression towards women and girls when the “need” isn’t met.</p> <p><b><u>This is evidence that SEVs put women and girls, who live and work in the vicinity, at greater risk of gender based harm, abuse and violence including rape.</u></b></p>	

Responder	Response	Date Received
	<p>The aforementioned discussion and harms would also undoubtedly have a knock on effect for South (and pan) Ayrshire services. As well as the increase in gender based harms, SEVs are known to attract activities that can compromise public safety, such as drug use, violence, and even human trafficking. This would place a significant burden on Police Scotland and judicial services and could lead to an increase in antisocial behaviour in surrounding areas, creating an unsafe environment for both adults and children.</p> <p>The impact on the physical health, mental health and the wellbeing of performers (including financial insecurity) and of the women and girls in the area, would also have an impact of health services, social services and third sector particularly with regards to violence against women and girls.</p> <p><b><u>This could create a further financial demand on public services that are already pushed to breaking point, meaning that patients, service users and staff will have to experience more risks, and harms, for longer, before getting the help and support they need and deserve.</u></b></p> <p>Licensing may create an illusion of safety and regulation, but it cannot fully protect individuals from the underlying issues of exploitation and abuse that are often associated with this industry. And as can be seen from the concerns already expressed, opening a SEV in South Ayrshire would actually be in contradiction with the councils licensing objectives of:</p> <ul style="list-style-type: none"> <li>(i) Preventing public nuisance, crime and disorder</li> <li>(ii) Securing public safety</li> <li>(iii) Protecting children and young people from harm</li> <li>(iv) Reducing violence against women</li> </ul> <p>And the creation of “no-go’ areas, or fear of it, could degrade the community’s reputation and economic well-being. Local businesses, particularly those focused on families and tourism, could</p>	

Responder	Response	Date Received
	<p>suffer as people may avoid areas near such venues. This could lead to a decline in local commerce and deter investment in the community.</p> <p>For a community like South Ayrshire, which prides itself on upholding values of respect, dignity, and equality, implementing such a licensing framework would be a step backwards. It would be at odds with our commitment to creating a safe and supportive environment for all residents, particularly women and marginalised groups who are most at risk of being affected by these negative dynamics. Instead of legitimizing SEVs, the Council should focus on policies that promote empowerment, equality, and respect for all members of society.</p> <p>For these reasons, we strongly oppose the introduction of a licensing regime for SEVs in South Ayrshire. Upholding any objection to a venue which provides sexual entertainment is one such measure that can help to eradicate violence against women and girls and can be seen as aligning to a Public Health approach by providing a primary prevention. Failure to take these measures will be in breach of efforts to advance policies on eradicating violence against women and girls and on equalities and human rights. Sexual or adult entertainment contributes to the sexual objectification and denigration of women and therefore is not in keeping with the principles of equality. We urge the Council to consider the broader implications and to prioritise the well-being, safety and integrity of our community.</p> <p>Thank you for taking the time to consider our concerns.</p>	

Responder	Response	Date Received
<p><b>SAC Trauma Informed Practice Officer AP</b></p>	<p>Dear Mrs Briggs</p> <p><b>Re: Opposition to the Implementation of Sexual Entertainment Venue (SEV) Licenses in South Ayrshire</b></p> <p>I am writing to you as the South Ayrshire Council Trauma Informed Practice Officer to express strong opposition to the introduction of any Sexual Entertainment Venue (SEV) licenses in South Ayrshire. My opposition is firmly rooted in the principles of the National Trauma Transformation Programme, which is committed to preventing adverse childhood experiences (ACEs) and trauma. It is further supported by the Equally Safe Strategy (2023) and its latest Delivery Plan, which aims to prevent and eradicate violence against women and girls.</p> <p>The Scottish Government’s and COSLA’s shared ambition are to create trauma-informed systems across Scotland, capable of realising where people are affected by trauma and adversity, recognising it’s impacts, and able to respond in ways that prevent retraumatisation and support recovery, by addressing inequalities and improving life chances”. Allowing SEV’s to operate in South Ayrshire Council directly contradicts the commitment South Ayrshire Council, and wider Community Planning Partners, made when they signed the Leadership Trauma Pledge. Additionally, as those who experience commercial sexual exploitation (CSE) often have substantial histories of trauma, it distorts the idea that any type of sex work is violence against women and girls, and thus traumatic, harmful to recovery, and risks retraumatisation.</p> <p>A large body of public health research reports links between CSE and a history of trauma/abuse. It also reports a greater propensity for poor mental health due to experiences of sexual coercion, abuse by clients, discrimination, and drug use. Those involved in CSE had higher ACE frequencies, including childhood sexual abuse (CSA), and are found to have a layered trauma, often leading to complex post-traumatic stress disorder (C-PTSD) due to the nature of CSE. Therefore, if South Ayrshire council supports the introduction of SEV, they are not only placing the most vulnerable at further risk, they are also supporting the ongoing abuse of the women and girls involved in this type of work.</p>	<p><b>08/10/24</b></p>

Responder	Response	Date Received
	<p>The Equally Safe Strategy emphasises the importance of creating a society where women and girls live free from violence and the attitudes that perpetuate it. Allowing SEVs to operate in South Ayrshire directly contradicts this vision by normalising and commercialising the objectification of women. Such venues contribute to a culture that devalues women and can lead to increased instances of gender-based violence.</p> <p>Research has consistently shown that environments where sexual entertainment is provided can foster conditions that are detrimental to the safety and well-being of women. These venues often perpetuate harmful stereotypes and can create spaces where exploitation and abuse are more likely to occur. Furthermore, the introduction of SEV licenses would be in direct conflict with the Council's commitment to promoting equality and safeguarding vulnerable groups.</p> <p>In light of these concerns, we believe that the appropriate number of SEVs for South Ayrshire should be zero, as there are currently no SEVs in the area. We urge the Council to ensure that no locations within South Ayrshire are designated for SEVs.</p> <p>Thank you for considering my position on this critical issue.</p> <p>Yours sincerely</p> <p><b>AP</b> <b>Trauma Informed Practice Officer</b></p>	

Responder	Response	Date Received
<p><b>NHS Ayrshire &amp; Arran</b></p> <p><b>Public Health Department</b></p> <p><b>SA</b></p>	<p style="text-align: center;"><b>NHS Ayrshire &amp; Arran Public Health Department: Feedback Regarding SAC Licensing for Sexual Entertainment Venues</b></p> <p>The NHS Ayrshire and Arran Public Health Department welcomes the opportunity to influence a licensing regime for Sexual Entertainment Venues proposed by South Ayrshire Council in the email dated 15th August 2024.</p> <p>The letter invites views on what the appropriate number of SEVs should be in South Ayrshire and what location/s would or would not be appropriate.</p> <p>A Public Health informed view of Sexual Entertainment Venues on a balance of risk of harms is that there is no place in South Ayrshire for such venues and that licenses should not be granted in any circumstances.</p> <p>The rationale for this as follows:</p> <ul style="list-style-type: none"> <li>• Violence against women is as an issue for South Ayrshire as it is across Scotland. Police data indicates some 1,175 incidents recorded by the police in 2022/23. This represents a rate of 105/100,000 in South Ayrshire 2022/23 (Scotland 114/100,000) . Domestic events reported to the police are recognised as being under reported. Much violence in family life is not captured in statistics.</li> <li>• There are significant public health concerns where within civic life reflects cultures and practices that normalise women as objects of sexual gratification: the more so for financial/commercial gain .</li> <li>• These impacts, often denied, dismissed and disregarded have ripple effects across family and community life, creating opportunities for organised crime and the exploitation of resident and non-resident South Ayrshire women .</li> <li>• Sexual Entertainment Venues can be understood as being part of a networked system of exploitation (including pornography) that is increasingly understood as a harming and harmful to</li> </ul>	<p style="text-align: center;"><b>09/10/24</b></p>

Responder	Response	Date Received
	<p>both women and girls as well as shaping the views boys and men have towards women, normalising exploitative relationship cultures .</p> <ul style="list-style-type: none"> <li>• Women working in sexual entertainment venues are particularly vulnerable to exploitation and control, much of which is hidden and not recognised/reported.</li> <li>• Such networks encourage the normalisation of violence against women as well as being violent towards women. This assertion is supported in scientific studies that illustrate clear links between the consumption of adult entertainment and sexual violence towards women.</li> <li>• There is increasing recognition of the impact and influence of normalising exposure to sexualised behaviours and cultures on the way young women and men develop relationships that are less than healthy.</li> </ul> <p>This response also accords with the work of the South Ayrshire Council’s partnership approach to violence against women. The Partnership involves a wide range of partners from within the Community Planning Partnership and other interested parties.</p> <p>‘South Ayrshire Violence Against Women Partnership (SAVAWP) is committed to addressing violence against women as a form of gender-based violence and to offering appropriate, high quality services to women and children, underpinned by a clear and unequivocal commitment to promote gender equality and inclusion across South Ayrshire.</p> <p>The SAVAWP is working together to try to dismantle all aspects of violence against women including (but not limited to) domestic abuse, rape, sexual assault, sexual harassment, child sexual abuse and commercial sexual exploitation.</p> <p>The SAVAWP is made up of representatives from agencies working with women and children in South Ayrshire including: South Ayrshire Council, Police Scotland, South Ayrshire Women's Aid, NHS Ayrshire &amp; Arran, Procurator Fiscal's Office, Moving On Ayrshire, Ayr Faculty of Solicitors, ASSIST project, South West Community Justice, Barnardos and Ayrshire College’.</p> <p>In addition to consideration of the literature concerning gender based violence a Public Health assessment of the Place and Wellbeing Outcomes (PWBO) mirrors concerns that Sexual Entertainment Venues undermine the key features which contribute to a ‘health place’. Whilst all of the features of the PWBO are relevant, the following features are more relevant to this application than others. As such, we highlight these and outline our concerns:-</p>	

Responder	Response	Date Received
	<ul style="list-style-type: none"> <li>• Civic – identify and belonging – people benefit from a place which has a positive identity, where they feel they can participate and interact positively with others. We do not agree that this facility will create a positive identity nor provide the chance for individuals to interact positively.</li> <li>• Civic – feeling safe – people feel safe in their local community. We are concerned that this will lead to people – in particular women – feeling unsafe.</li> <li>• Resources – work and economy – the local economy should provide essential goods and services, and offer good quality work and opportunities that allow people to participate effectively in their local community economy. We do not agree that this offers an essential service and are concerned that the ‘work’ offered is not of good quality.</li> </ul> <p>The non-allocation of licences to Sexual Entertainment Venues is an explicit action that South Ayrshire Council can take to reduce the risk of violence to women and girls and supporting the men and boys across South Ayrshire to have respectful relationships with women.</p> <p>Failure to take these measures will be in breach of efforts to advance policies on eradicating violence against women and girls and on equalities and human rights.</p> <p><b>SA</b>  <b>Public Health Consultant NHS Ayrshire and Arran</b>  <b>7th October 2024</b></p>	



Responder	Response	Date Received
<p><b>Forehill, Holmston &amp; Masonhill Community Council.</b></p>	<p>Good afternoon</p> <p>Re your email below, this was on the Agenda at the September meeting of Forehill, Holmston &amp; Masonhill Community Council.</p> <p>Following a discussion we would like to inform Karen Briggs that FHMCC do not support this proposal.</p> <p>Kind regards, A FHMCC Secretary.</p>	<p><b>17/10/24</b></p>
<p><b>South Ayrshire Alcohol and Drug Partnership (ADP)</b></p>	<p>Dear Mrs Briggs,</p> <p>Opposition to the Implementation of Sexual Entertainment Venue (SEV) Licenses in South Ayrshire</p> <p>I am writing on behalf of South Ayrshire Alcohol and Drug Partnership (ADP) to express our support for the letter submitted by the Violence Against Women Partnership in opposition to the implementation of Sexual Entertainment Venue (SEV) licenses in South Ayrshire, as outlined below.</p> <p>“Our stance is firmly rooted in the principles of the Scottish Government’s Equally Safe Strategy (2023) and its latest Delivery Plan, which aims to prevent and eradicate violence against women and girls.</p>	<p><b>18/10/24</b></p>

Responder	Response	Date Received
	<p>The Equally Safe Strategy emphasises the importance of creating a society where women and girls live free from violence and the attitudes that perpetuate it. Allowing SEVs to operate in South Ayrshire directly contradicts this vision by normalising and commercialising the objectification of women. Such venues contribute to a culture that devalues women and can lead to increased instances of gender-based violence.</p> <p>Research has consistently shown that environments where sexual entertainment is provided can foster conditions detrimental to the safety and well-being of women. These venues often perpetuate harmful stereotypes and can create spaces where exploitation and abuse are more likely to occur. By licensing SEVs, South Ayrshire Council would be endorsing a practice that undermines the progress made towards gender equality and the protection of women’s rights.</p> <p>Furthermore, the introduction of SEV licenses would be in direct conflict with the Council’s commitment to promoting equality and safeguarding vulnerable groups. The Equally Safe Strategy calls for a collaborative approach involving local authorities, communities, and organisations dedicated to ending violence against women. It is crucial that South Ayrshire Council’s decisions align with this strategy to ensure a cohesive and effective response to gender-based violence.</p> <p>In light of these concerns, we believe that the appropriate number of SEVs for South Ayrshire should be zero, as there are currently no SEVs in the area. We urge the Council to ensure that no locations within South Ayrshire are designated for SEVs.</p> <p>By rejecting this proposal, South Ayrshire Council will demonstrate its commitment to upholding the values of equality, respect, and justice as outlined in the Equally Safe Strategy and Delivery Plan”.</p> <p>Yours sincerely</p> <p>GH ADP Chair and on behalf of South Ayrshire ADP</p>	

Responder	Response	Date Received
	cc FM, ADP Coordinator	
<p><b>Police Scotland – Raymond Higgins Chief Superintendent Ayrshire Divisional Commander</b></p>	<p>Dear Madam,</p> <p>SOUTH AYRSHIRE COUNCIL SECOND CONSULTATION ON SEXUAL ENTERTAINMENT VENUES</p> <p>I am writing to you on behalf of Police Scotland, regarding the South Ayrshire Council second consultation on Sexual Entertainment Venues (SEVs). We are aware that the Council has already sought views on whether to licence SEVs, and the standard conditions to be included in such licences, and we understand that in this second consultation views are now being sought on the following specific points:</p> <ul style="list-style-type: none"> <li>• What the appropriate number, if any, of SEVs in South Ayrshire should be for the various localities within the South Ayrshire Council area including: <ul style="list-style-type: none"> <li>a) residential areas;</li> <li>b) rural areas;</li> </ul> </li> </ul>	<p><b>24/10/24</b></p>

Responder	Response	Date Received
	<p>c) industrial areas;  d) late night economy areas;  e) the town centres; and  f) South Ayrshire as a whole</p> <ul style="list-style-type: none"> <li>• What localities, if any, within South Ayrshire would be considered an appropriate location for an SEV?</li> </ul> <p>In response, Police Scotland has no evidence that SEVs located in other local authority areas contribute negatively to crime or disorder and as such we offer no opinion on the number of SEVs that should be licensed in the areas listed within South Ayrshire.</p> <p>Likewise, we also offer no opinion on specific locations within South Ayrshire that could be considered an appropriate location for an SEV. We would suggest however that strong consideration be given to excluding locations where children have regular access, or attend for leisure or educational purposes, due to concerns around children being exposed to inappropriate content/activities either directly or indirectly. SEVs could attract crowds of people, late into the night which can lead to noise, traffic and potential disturbances from patrons leaving the venue. These issues can interfere with the quality of life of residents nearby and general community cohesion.</p> <p>Police Scotland recognises the value of the regulations introduced in the Air Weapons and Licensing (Scotland) Act 2015 around the licensing of Sexual Entertainment Venues within their respective areas, which would provide protection to workers and customers in a safe, regulated environment through the implementation of appropriate licensing conditions. The regulations and licensing of these premises would also help limit the risk of criminality, such as prostitution and human trafficking, protecting workers from potential exploitation and abuse and avoid perpetuating harmful behaviours and attitudes.</p>	

<b>Responder</b>	<b>Response</b>	<b>Date Received</b>
	<p>I would be grateful if you could inform the South Ayrshire Council Licensing Board of the representations made.</p> <p>Yours sincerely</p> <p>Raymond Higgins Chief Superintendent Ayrshire Divisional Commander</p>	

## Draft Sexual Entertainment Venues Licensing Policy

### Introduction

1.1 South Ayrshire Council (“the Council”) is able to regulate sexual entertainment venues through the Civic Government (Scotland) Act 1982 (the 1982 Act).

1.2 Section 76 of the Air Weapons and Licensing (Scotland) Act 2015 (the 2015 Act) added new sections 45A to 45C to the 1982 Act in order to introduce a discretionary licensing regime for sexual entertainment venues (SEVs). Section 76 also amends section 41 of the 1982 Act to specifically exclude sexual entertainment venues from the definition of places of public entertainment to ensure that a public entertainment licence cannot also be required for those venues.

1.3 The Council’s Leadership Panel agreed on 18<sup>th</sup> February 2020 to make a resolution under section 45B(1) of the 1982 Act to introduce a licensing scheme for SEVs. On 12<sup>th</sup> March 2024 the Council’s Cabinet decided that the licensing scheme would commence with effect from 1<sup>st</sup> May 2025. Consequently, this SEV policy applies to the whole of South Ayrshire.

1.4 The making of the resolution under section 45B(1) of the 1982 Act allows the Council to prescribe standard conditions and fees for the grant, variation, renewal and transfer of SEV licences and to determine the appropriate number of premises to be licensed as SEVs within South Ayrshire and the appropriate number may be set at zero.

1.5 The Council must prepare a statement of its policy with respect to the exercise of its functions in relation to the licensing of SEVs. The policy will have regard as to how it will affect the statutory licensing objectives of:

1.5.1 Preventing public nuisance, crime and disorder

1.5.2 Securing public safety

1.5.3 Protecting children and young people from harm

1.5.4 Reducing violence against women

1.6 The policy will also provide guidance for prospective applicants, existing licence holders, those who may wish to object to an application and members of the Regulatory Panel when determining an application. This policy will be reviewed regularly and revised when necessary.

1.7 The key aims of civic licensing are the preservation of public safety and order and the prevention of crime. A specific SEVs licensing regime allows the Council to consider local circumstances in setting the number of venues able to operate within their areas and to exercise appropriate control and regulation of those venues.

### Definitions

2.1 A SEV is defined in the 1982 Act 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 that definition, “sexual entertainment” means any live performance or 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). An audience can consist of just one person.

2.3 This definition would apply to the following forms of entertainment as they are commonly known:

2.3.1 Lap dancing

2.3.2 Pole dancing

2.3.3 Table dancing

2.3.4 Strip shows

2.3.5 Peep shows

2.3.6 Live sex shows

2.4 The above list is not intended to be exhaustive and should only be treated as indicative. The decision to licence premises as SEVs shall depend on the content of the relevant entertainment rather than the name given to it.

2.5 Premises at which sexual entertainment is provided on a particular occasion will not require to obtain a SEVs licence if the sexual entertainment has not been provided on more than 3 occasions within a 12-month period.

### **Locality**

3.1 The Council considers that the character of the relevant locality, the use to which premises in the vicinity are put, and the layout, character, or condition of the venue in respect of which the application is made, are relevant considerations when determining the grant of a SEV licence.

3.2 With reference to paragraph 9(7) of Schedule 2 of the 1982 Act, "relevant locality" means:

- a. In relation to the premises, the locality where they are situated;
- b. In relation to a vehicle, vessel or stall, any locality where it is desired to use it as a SEV.

### **Character & Vicinity of Relevant Locality**

3.3 In considering whether the grant, renewal or variation of the licence would be inappropriate given the vicinity in which the SEV premises operates, the relevant committee shall consider the existing character and function of the area. Having regard to Scottish Government guidance, due consideration will be given to the following:

- a. Whether the premises are situated in a residential area
- b. Whether there are any schools and other places of education near the vicinity of the premises
- c. Whether there are any places of worship in that vicinity
- d. Whether there are other relevant businesses or charities operating in the area e.g. homelessness shelters, women's refuges, supported accommodation, recovery units
- e. Whether there are certain landmarks or facilities in the vicinity e.g. historic buildings, sports facilities, cultural facilities, family leisure facilities, play areas or parks, youth facilities, retail shopping areas, and places used for celebration of commemoration
- f. Whether there have been incidents involving anti-social behaviour, sexual assaults or more minor harassment reported in that area and/or in connection with the premises

g. Whether there have been incidents of human trafficking or exploitation in that area and/or in connection with the premises

3.4 The Council will consider relevant locality on a case by case basis, taking into account the particular circumstances of each application.

#### **Appropriate Number of SEVs in a Relevant Locality**

3.5 As set out within paragraph 9(5)(c) of Schedule 2 of the 1982 Act, the Council may refuse an application for a SEV if it is satisfied that the number of SEVs in the local authority area or relevant locality at the time the particular application is made is equal to or exceeds the number which the local authority consider is appropriate for the local authority area or locality. The Council is able to determine that the appropriate number for the local authority area or locality is nil.

3.6 The Council must determine the appropriate number of SEVs which it considers appropriate in any area within the Council's control. Having done so, each application will be considered on its own individual merits at the time the application is submitted to the Council.

3.7 The Council considers the appropriate maximum limit on the number of SEVs within South Ayrshire is zero. This means that any future SEV applications received by the Council will not be processed and determined unless and until the Council's SEV policy has been formally amended by Cabinet, following a consultation process. Upon receipt of an application, the relevant portfolio holder in conjunction with the Council's Chief Governance Officer/Head of Legal Services or equivalent, will determine whether the application merits initial reconsideration of the existing policy by Cabinet. In the event that it does, it will then be for Cabinet to decide whether to commence the aforementioned policy amendment process. It should be noted that when considering any future applications, the Council will take into account the factors detailed above, at paragraphs 3.1 – 3.4, with town centre locations likely to be considered more appropriate.

#### **Suitability of Premises**

3.8 Under the 1982 Act the Council has the discretion to refuse applications relating to SEVs if it is considered that the grant or renewal of the licence would be unsuitable, having regard to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

3.9 It is expected that when an application for a SEV licence is made, that the applicant will be able to demonstrate that the layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

#### **SEV Application Process**

4.1 The 1982 Act allows the Council to issue a licence for a maximum period of one year. A licence can also be issued for a shorter period if it is deemed appropriate.

4.2 Applicants are encouraged, in the first instance, to contact the Council's Licensing service, to discuss the process for an application, and in particular the requirement for amendment to the Council policy as detailed in section 3.7 above. An application for the grant, variation, renewal or transfer of a licence must be made in writing to the Council together with the appropriate fee, layout plan as well as complying with the following requirements:

a. Within seven days of the application being lodged with the Council, the applicant must publish an advertisement of the application in a local newspaper within South Ayrshire. A copy of the newspaper



in which the advertisement appears must be lodged with the Licensing Service within 3 days of the publication.

b. The applicant must display a notice of the application on or near the premises where it can be conveniently read by the public. The notice must be displayed for 21 days from the date the application is lodged with the Council. As soon as possible after the expiry of the period of 21 days, the applicant shall submit to the Council a certificate which states that a notice was duly exhibited for the required period.

c. Applicants will be required to provide pictures or sketches of the exterior design of the premises for consideration, to ensure that it complies with the standard conditions of licence.

d. Application packs must include a copy of the premises 'house rules' for performers and proposed code of conduct of patrons.

4.3 Applicants should note that the application fee is non-refundable in the event of the licence being refused or the application being withdrawn prior to determination.

4.4 As well as statutory consultees, the following list of organisations will receive a copy of an application upon its submission to the Council a. NHS Ayrshire & Arran Public Protection Health Team b. Rape Crisis Scotland c. South Ayrshire Women's Aid d. South Ayrshire Violence Against Women Partnership e. South Ayrshire Alcohol and Drug Partnership, f. South Ayrshire Community Planning Partnership, and any Community Council within or neighbouring the locality in which the premises is situated.

### **Making an Objection**

4.5 It is possible to lodge an objection against the grant of an application for a SEV licence. Objections must be made in writing (emails are accepted) and sent to the Licensing Service ([licensing@south-ayrshire.gov.uk](mailto:licensing@south-ayrshire.gov.uk)) within 28 days of the application being advertised. If an objection is lodged out with this period, it must explain why it has been lodged late. It would then be a matter for the Regulatory Panel to consider if it is satisfied that there is sufficient reason why it was not made in the time required.

4.6 To be considered as competent, objections should include the following information:

a. The name and address of the person or organisation making the objection

b. The premises to which the objection relates

c. The objection must be signed by the objector, or on their behalf

4.7 Objections to a SEV application will be considered by the Regulatory Panel when determining the application. A copy of the general terms of the objection will be sent to the applicant, however certain contact details such as telephone numbers, email addresses and signatures will be removed. The name and address of any objector will not be provided to the applicant without the objector's consent.

### **Determining an Application**

4.8 Every application for a SEV licence will be considered and determined at a meeting of the Regulatory Panel. As stated above, if any objections are received in relation to an application, they will also be considered at the Panel meeting.

4.9 Objectors will be given the opportunity to speak to their written objection at a meeting of the Panel. Similarly, applicants will be given the opportunity to speak to their application and address any questions that the Panel may have.

4.10 Under the terms of the 1982 Act, there are mandatory and discretionary grounds for refusal of a SEV licence. The specific mandatory grounds for refusal are set out in section 9(3) of Schedule 2 of the 1982 Act, which states “A licence under this Schedule shall not be granted –

- a) To a person under the age of 18;
- b) to a person who is for the time being disqualified under paragraph 13(10) or 19(5) below;
- c) to a person other than a natural person if any director of it or partner in it or any other person responsible for its management is disqualified under paragraph 13(10) or 19(5) below;
- d) to a person who has been convicted of an offence under paragraphs 19 to 21 below;
- e) to a person who is not resident in the United Kingdom or was not so resident throughout the period of six months immediately preceding the date when the application was made;
- f) to a body corporate which is not incorporated in the United Kingdom;
- g) to person who has, within the period of 12 months immediately preceding the date the application was made, been refused by the same local authority the grant or renewal of a licence under this Schedule for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal; or
- h) to a person other than a natural person if any director of it or partner in it or any other person responsible for its management has within that period, been refused by the same local authority the grant or renewal of such a licence, unless the refusal has been reversed on appeal.”

4.11 Section 9(5) of Schedule 2 of the 1982 Act sets out the terms of the discretionary grounds on which a SEV application can be refused. They are as follows:

- a. That the applicant is unsuitable to hold a licence by reasons of having been convicted of an offence or for any other reason;
- b. That if the licence were to be granted or renewed, the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be otherwise refused the grant/renewal of a licence if they made the application themselves.
- c. That the number of sexual entertainment venues in the local authority area or relevant locality at the time the application is made is equal to or exceeds the number which the Council considers appropriate for their area or that locality.
- d. That the grant or renewal of the licence would be inappropriate having regard:
  - a) To the character of the relevant locality; or
  - b) To the use to which any premises in the vicinity are put; or
  - c) To the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made

### **Suitability of Applicant**

4.12 In determining an application, the Regulatory Panel will consider whether the applicant is or remains fit and proper to hold a licence. The Council does not expect any fines, arbitrary or otherwise, to be in place for performers, which could result in their loss of income. Additionally, the Council expect that house fees for performers will be transparent and agreed in advance. The Council does not expect that these would be subject to change at short notice, resulting in a loss of income to the performer. Where examples of fining or issues with house fees are brought to their attention, the Panel could take this into account when considering whether an applicant is or remains fit and proper to hold a SEV licence.

### **Variation of a SEV Licence**

4.13 The licence holder of a SEV licence may apply to vary any term, condition or restriction placed upon the licence. The statutory requirements for advertising, giving notice and timeline for the consideration of the application are the same as those for initial grants or renewals as set out above in section 4 of this policy.

4.14 Variation applications will be considered by the Regulatory Panel where the applicant will be given an opportunity to speak to their application and answer any questions that Committee members may have. When determining an application, the Panel can either:

- a. Grant the variation as requested;
- b. Make such variations as it thinks fit;
- c. Refuse the application.

4.15 In the event of the Regulatory Panel agreeing a condition or restriction other than the one sought in the original variation application, the decision will not take effect until the time for bringing an appeal has expired, or if an appeal is lodged, the abandonment of the appeal or the conclusion of the appeal, if found in favour of the Council.

### **Renewal Application**

4.16 Provided an application for renewal has been accepted and deemed competent by the Licensing Service prior to the date of expiry, the licence shall be deemed to remain in force until such time as the renewal application has been determined.

4.17 The statutory requirements for advertising and giving notice are the same as those applying to initial grants. Furthermore, renewal applications will be considered by the Regulatory Panel.

### **Right to Appeal**

4.18 An appeal against the decision of the Regulatory Panel in respect of the grant, renewal, variation or refusal of a licence must be made to the Sheriff Court within 28 days of the decision being made.

4.19 Where an application for a licence is refused on the under paragraph 9(5)(c) or (d) of Schedule 2 of the Civic Government Act 1982, the applicant can only challenge the refusal by way of judicial review.

### **Waiver**

4.20 The Council may, upon application, waive the requirement for a licence in any case where it considers that to require a licence would be unreasonable or inappropriate. The Council will consider

each case on its merits, however it is unlikely that an establishment that normally would require a licence would be granted a waiver other than in exceptional circumstances.

### **Conditions**

5.1 The Regulatory Panel is able to grant or renew a SEV licence on such terms and conditions as it considers appropriate. This will typically take the form of standard conditions which are applicable to all SEV licences. Additional conditions may also be placed on the licence which are specific to the applicant or premises.

5.2 The Council's Cabinet agreed a set of standard conditions on **xxxx** and these shall apply to every licence granted, varied or renewed by the Panel, unless they have been expressly excluded or varied. The standard conditions are found at Appendix 1 of this policy.

5.3 It is an offence to operate a SEV without a licence or contravene a condition of any granted licence. Licence holders found to be breaching the terms of their licence may be referred to the Regulatory Panel for suspension or revocation of the SEV licence.

### **Relationship with Other Strategies**

6.1 Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls was first published in 2014 and last updated in 2023. It sets out a definition of violence against women and girls which includes 'commercial sexual exploitation, including prostitution, lap dancing, stripping, pornography, and human trafficking.' Whilst recognising the conflict between this definition and the licensing of sexual entertainment venues, the Scottish Government intends that it will help to ensure that such activities take place in safe and regulated environments.

### **Related Documents**

7.1 Air Weapons & Licensing (Scotland) Act 2015 – Sexual Entertainment Venues– Update After Initial Consultation – Regulatory Committee – 21 October 2019

7.2 Civic Government (Scotland) Act 1982 – Sections 45A-45C 7.3 Provisions for Licensing of Sexual Entertainment Venues: Guidance – Scottish Government Review 8.1

This policy will be reviewed annually or more frequently, if required.

### **Appendices**

#### **Appendix 1**

#### **Standard Conditions on the Licensing and Regulation of Sexual Entertainment Venues (SEVs)**

##### **Definitions**

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

- Performer is defined in these conditions as any person operating at a sexual entertainment venue who carries out any activity falling within the definition of relevant entertainment.
- Sexual Entertainment Venue (SEV) means any premises at which sexual entertainment is provided before a live audience for (or with a view to) the financial gain of the organiser.

## **Conditions**

### **Opening Hours**

1 The licensed premises shall not be open or used for the purposes for which the licence is granted except between the hours prescribed within the licence

### **Control of Entry to the Premises**

2 No person under the age of 18 shall be admitted to the premises at any time or employed in the business of the establishment.

3 A prominent, clear notice shall be displayed at each entrance to the premises which states that no person under the age of 18 will be admitted to the premises and that proof of age may be required.

4 The Challenge 25 proof of age scheme shall be operated at the premises whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age, to ensure that no one under 18 enters the premises. Such credible evidence, which shall include a photograph of the customer will either be a passport, photographic driving licence, or proof of age card carrying a 'PASS' logo.

5 The premises shall maintain a refusals log whereby any occasion a person is refused entry shall be recorded and available upon request by the Police or an authorised Council officer.

6 Any authorised Council officer, Police Constable or officer of the Scottish Fire & Rescue Service shall be permitted access to the premises at any time, including any area not accessible to customers.

### **Exhibition of SEV Licence**

7 A copy of the licence shall be prominently exhibited on the premises in a position that can easily be read by all persons frequenting the premises.

8 A copy of the licence and conditions attached to the licence shall be kept on the premises and be available for inspection by any of those persons referred to in condition 6.

### **Security & CCTV**

9 An adequate number of door supervisors registered in accordance with the Security Industry Authority (SIA) shall be on duty at all times whilst relevant entertainment is taking place.

10 A CCTV system shall be installed and working to the satisfaction of the Chief Constable and Council officers. The system shall cover the whole of the parts of the premises to which the public have access. This shall include external areas of the premises including the area immediately outside any entrance to, or exit from, the premises.

11 Notices shall be displayed at the entrance, and in prominent positions throughout the premises, advising that CCTV is in operation.

12 CCTV monitors covering the premises shall be available in an appropriate area of the premises where they can be viewed by Police or authorised Council officers during an inspection of the premises. This condition does not preclude further monitors being located in other parts of the premises.

13 All CCTV cameras shall continually record whilst the premises is open for licensable activity. All recordings shall be stored for a minimum period of 28 days.

14 Staff will be fully trained in the operation of the CCTV system and there shall be at least one member of staff on duty during trading hours who is able to provide a recording of any incident in a format that can be taken away to be viewed. The premises will provide copies of any recordings upon request by the police or any authorised Council officer within 24 hours of the request.

15 Each area where relevant entertainment is conducted shall be supervised by management and/or SIA accredited door supervisors and/or contain a panic alarm for the safety of performers. Additionally, all dance booths or cubicles will be equipped with a panic alarm.

### **Layout & External Appearance of Premises**

16 No display, advertisement, signage or other matter shall be exhibited so as to be visible from outside of the premises except:

- a. The name of the premises
- b. The opening hours of the premises
- c. Notice of any admission charge to the premises
- d. Any other notice required to be displayed by law or by these conditions

17 The external doors of the premises shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.

18 The windows and openings of the licensed premises shall be of material or covered with material which will render the interior of the premises invisible to passers-by.

19 The layout of the premises shall be such that performers cannot be seen from outside the premises.

20 Performers or other member of staff shall not stand in lobby, reception or foyer areas or outside the premises entrance for the purposes of greeting customers or encouraging customers to enter the venue.

21 There shall be no alterations to the layout plan of the premises without the prior written approval of the Council.

### **Record Keeping**

22 A record of full names, dates of birth, and copies of photographic proof of age documents, nationality and contact details (address or telephone number) for all staff & performers shall be available on the premises for immediate inspection if requested by police or an authorised Council officer.

23 All staff and performers shall be eligible to work in the UK and proof of eligibility records shall be kept on the premises. The licence holder shall ensure that such records are regularly checked to ensure compliance.

24 An incident log shall be kept at the premises, and made available on request to an authorised Council officer or the Police, which will record the following:

- a. All crimes reported to the premises;
- b. All ejections of patrons;
- c. Any incidents of disorder;
- d. Any faults in the CCTV system;
- e. Any refusal of the sale of alcohol;
- f. Any breach of licence conditions reported by a performer

25 The incident log shall show the date and time of the incident, the name of the staff member reporting the incident, a brief description of the customer involved/name of performer where appropriate and brief details of the incident along with action taken by staff.

26 Staff shall complete the incident log as soon as reasonably practicable after any incident has occurred.

27 The incident log shall be kept in a place where it can be easily accessed by staff working at the premises and all staff shall be aware of the location of the incident log and the need to complete it in the case of any of the circumstances described above. Performances

28 Performers shall be aged not less than 18 years.

29 Sexual entertainment shall be given only by performers and the audience shall not be permitted to participate in the relevant entertainment.

30 Performers must only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.

31 Immediately after each performance, performers must fully redress in that they will have the same clothing on prior to the start of their performance.

32 Sexual entertainment shall take place only in the designated areas approved by the Council as shown on the licence plan.

33 The licence holder shall ensure that there will be no physical contact between performers and customers.

34 The licence holder will take all reasonable steps to ensure that performers will not provide any telephone number, address or any other personal contact information to any customer and that performers will not request any such personal contact from customers. The licence holder will take all reasonable steps to ensure that any such information given by a customer is surrendered to the premises manager as soon as is practicable.

35 The licence holder will take all reasonable steps to ensure that customers remain fully clothed at all times and that the performer will not remove any of the customer's clothing at any time.

36 The licence holder will ensure that there will be no photography or recording of any images or videos by customers on the premises.

37 Where sexual entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door, curtain or other similar closure, the area shall constantly be monitored by CCTV, and access to the booth or other area shall be adequately supervised.

38 A price list shall be displayed in a prominent position giving the price and the duration of any sexual entertainment that will take place in private booths

### **Premises Management & Staff Welfare**

39 The licence holder shall nominate a manager who will be responsible for the day-to-day running of the premises and will ensure that the manager operates the premises in accordance with these conditions.

40 Performers shall be provided with unrestricted access to secure and private changing facilities. Such changing facilities shall be secured so as not to be accessible to members of the public.

41 All entrances to private areas to which members of the public are not permitted access shall have clear signage stating that access is restricted.

42 Performers shall be provided with their own sanitary facilities separate from those used by customers.

43 Performers must be provided with an information pack which will include, as a minimum, the following information:

- A copy of the Sexual Entertainment Venue Licence, including these and any additional conditions applied by the Council.
- Details of any conditions or house rules applied by the licence holder or manager of the premises. This will include the level of any house fees and fines.
- Details of how to report crime to the relevant authority.
- Details of unions, trade organisations or other bodies that represent the interests of performers
- Price lists for any sexual entertainment provided on the premises.

44 The information provided in the pack will be provided in the performers dressing rooms and will be available on request to the police or an authorised Council officer.

45 The licence holder shall have a Performers Welfare Policy in place at the premises.

46 The Performers Welfare Policy shall, at a minimum, state that:

- Any performer concerned about the behaviour of a customer shall report the incident immediately to the Premises Manager (or any member of management on shift if the Premises Manager is not on the premises), who shall take immediate action to resolve the matter.
- Staff members must supervise the behaviour of customers at the premises constantly and shall intervene where any customer is acting inappropriately or is otherwise causing alarm or distress to a performer.
- Any customer behaving inappropriately will be ejected from the premises.
- Performers shall be provided with free drinking water on request.



47 Touting for Business. The licence holder must take reasonable steps to ensure that there shall be no touting for business for the premises in a public place by way of flyer, persons holding advertising boards, branded vehicles or personal solicitation.

## Responses to Consultation

### 1.NHS Ayrshire & Arran

#### General Position Statement from NHS Ayrshire & Arran

The operating of Sexual Entertainment Venues (SEVs), is fundamentally incompatible with the priorities of Equally Safe (2006), Scotland's Strategy to prevent and eradicate Violence against Women and Girls, the Human Trafficking and Exploitation (2017) (Scotland) Bill, our current approach to domestic abuse, rape and sexual offences (which we seek to prevent by challenging men's behaviour), and UK Equality and Human Rights Legislation (2010).

Within Equally Safe, Scotland's strategy for preventing and eradicating violence against women and girls (VAWG), the Scottish Government defines lap dancing and stripping as commercial sexual exploitation, and thus a form of VAWG. The Scottish Government's current strategy on ending VAWG notes that commercial sexual exploitation causes harm to all women, by sanctioning objectification of women's bodies, and further notes that this harm to women collectively happens regardless of whether individuals claim liberation or empowerment from the activity.

Sex work is a term used to describe a wide range of activities relating to the exchange of money (or its equivalent) for the provision of a sexual service. Harcourt and Donovan (2005) compiled a long list of the different types of sexual services practiced by sex workers around the world with Sexual Entertainment Venues providing lap dancing services a form of indirect sex work. Indirect sex work can be assumed to be more secure with women less vulnerable than those involved in direct sex work however, while this group of sex workers may be less vulnerable to poor health, violence and police harassment, they are still at greater risk to poor physical and mental health than the general public (Home Office, 2004; Jeal and Salisbury, 2004).

The study (Bindel, 2004) carried out in Glasgow within sexual entertainment venues identified that women working within these venues were pressurised into providing private dances to customers as this is the only legitimate way for the dancers to make money in the clubs. The intermittent 'cabaret', and individual pole dances that take place in the main club areas, serve only to advertise the dancers and entertain customers, dancers are not paid for these activities. Dancers feel pressurised to secure private dances with as many of the customers as possible, especially if they are in debt to the club. Further problems identified by the dancers interviewed within this study ranged from threats of physical violence from customers and demands for sex, to practical health and safety issues. This reinforces the study from Holsopple (1998) which found that dancers had suffered verbal harassment, and both physical and sexual abuse whilst working, in addition all women had been propositioned for prostitution, and that three-quarters had been stalked by men who had visited the sexual entertainment venue.

Working within sexual entertainment venues is for most people not about choice, but about exploitation, and one in which women are disproportionately represented. Sexual entertainment venues can be used to channel vulnerable people with limited life choices into degrading employment for the sexual gratification and profit of others. The reality is that SEVs are highly exploitative and offer very poor work conditions for those working in the venues. In responding to this consultation it is extremely difficult to see how a commitment to eradicating violence against women and girls could sit alongside the licensing of sexual entertainment venues. Notwithstanding these concerns NHS Ayrshire & Arran Gender Based Violence Group have considered the questions within the consultation and have responded within the scope of their knowledge on municipal law.



## Appendix A QUESTIONS:

### **Q1: Do you think SEVs in South Ayrshire should be licensed? If so, why?**

In considering whether SEVs should be licensed in South Ayrshire it is appropriate to acknowledge that as there are no SEVs in operation at the current time, and if the local authority expects that it is likely that SEVs will operate in the local area in the future. If this is the case then licensing of these premises would be the preferred option otherwise it will be possible for a SEV to operate within South Ayrshire unregulated.

If the local authority decides to licence SEVs then it must claim a certain level of responsibility for women's safety in these establishments and of women and girls living and working in the community. If particular conditions are not a requirement for receipt of a licence there will be intolerable risks faced by women working in SEVs and for the wider community. A set of mandatory operating requirements that local authorities must include within their policy statements and a directive that SEVs must meet these operating requirements in order for a license to be granted would be welcomed to reduce the risks to those working within the venues.

### **Q2: What impact, if any, do you think SEVs currently have on the community?**

Academic research carried out examining the impact on communities of SEVs concluded that the existence of lap-dancing clubs has a negative effect on the community, that areas where lap-dance clubs operate have become 'no-go' areas for women who feel uncomfortable walking by, and that men have been harassed by personnel offering them sexual services (Lillith, 2002). Supporting this research is the statement from The UK Royal Institute of Town Planning who also raised concerns on 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'

Following the opening of *Spearmint Rhino* in Sheffield City Centre, Lewis (2002) conducted a straw poll of twenty-seven women living and working nearby. Interviewees were asked their opinion on links between lap dancing and prostitution, its effects on relationships between men and women, effects of the club on the area and the sexual objectification of women. The majority of women did not support the club, and believed it had a detrimental effect on women, men's attitudes and the community.

The study carried out by Bindel (2004) reinforces the opinion of those communities living or working nearby a SEV, members of the public polled near the Seventh Heaven venue in Glasgow were extremely negative of the venue. A member of the public surveyed stated that they had been propositioned for sex whilst passing the venue from a customer who had just left the SEV.

### **Q3: 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?**

The introduction of licensing for sexual entertainment venues would allow the local authority to have control over the number and location of such venues in their areas and address the current gap in licensing and regulation. As there will be obvious risks and sensitivities surrounding this issue, providing clear instruction on their licensing requirements to SEV operators is crucial to ensure that any venues are safe places for staff, customers and communities and thus have a positive impact on SEV workers and their working conditions.

The local authority should consider the development of policy statements to support the licensing regimes, ~~the policy statement should be developed in partnership with relevant partners to reduce~~ the risk and help protect the safety and wellbeing of performers and the wider public. If SEVs were

to locate in South Ayrshire and in the absence of any licensing regime this could see the venues operating unregulated, to the detriment of those who work within the venue.

**Q4: 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?**

The presence of SEVs within the community and surrounding vicinity would have a **negative** impact on these local areas whether these venues are licensed or not. Not only do SEVs have a **negative** impact on women's safety in the local vicinity they also normalise sexual objectification, the links between the expansion of SEVs and an increase in the levels of sexual violence have been raised by organisations who work with victims and perpetrators of gender-based violence (Bindel, 2004).

Having SEVs licensed would be **positive** only in so much as having control over licence conditions such as opening times, smoking areas, door men and noise regulation.

**Q5: If SEV'S were to be licensed, do you think the location of SEV's is an important consideration? Please explain your answer**

As noted in the consultation brief on licensing of SEV's the location of SEV's is an extremely important and consideration should be given to the following:

- the location of schools
- the location of places of worship
- the location of heavily residential areas
- the location of women's refuges and shelters
- the location of other services focussed on supporting women, children and young people
- Location of houses for care experienced children
- Supported accommodation for those with learning difficulties and disabilities.

Controls on exterior advertising and signage of the SEV should include the prohibition of advertising in public spaces, including on billboards and leafleting.

No smoking areas should not be allowed at the front of clubs to minimise the potential harassment of women living, working and passing through the area. All smoking areas must be in private areas away from public spaces.

No advertising allowed in media that is not exclusively aimed at adults – this would exclude local and family newspapers.

## **Appendix B QUESTIONS:**

**Q1. If SEV'S are to be licensed, what should the appropriate number be?**

There is much public disquiet about sexual entertainment venues and this stems from the belief held that they are a front for prostitution. There has certainly been evidence of sexual services being on offer, and carried out, in certain clubs in Glasgow.

The Bidel (2004) study revealed the complex process and set of conditions in which dancers are experiencing means they become more susceptible to requests or suggestions to sell sex. The lack of employment rights, for some women the experience of accumulating debt, expectations of the customers, fierce competition, and a link in public perceptions between lap dancer and stripper/prostitute, create an overall climate where the selling and buying of sex on the premises becomes more likely. Two dancers, from *Diamond Dolls* and *Seventh Heaven* in Glasgow indicated the main reason why some of the dancers offer sexual services, or agree to provide them, is debt, rather than a desire to make large amounts of money.

As there is clear evidence that sexual entertainment venues offer more than lap dancing and are often a front for prostitution then it is recommended that the number of SEV's deemed appropriate is set at **NIL**.

The operating of SEVs is fundamentally incompatible with the priorities of "Equally Safe", Scotland's national strategy to prevent and eradicate Violence against Women and Girls.

If the Council was to pass a resolution to licence SEVs, specific local circumstances should be taken into consideration and include the additions noted below:

- The location of schools
- The location of places of worship
- The location of residential areas where there have been incidents involving anti-social behaviour, sexual assaults
- Where there have been incidents of human trafficking or exploitation
- The location of women's refuges and shelters
- The location of other services focussed on supporting women, children and young people including services helping women to exit prostitution, services focussed on fighting human trafficking and youth services
- The location of any known brothels
- Consider the prevalence of other forms of sexual exploitation, including prostitution
- Consider the instance of reported crimes involving violence against women and girls

It should be considered that there are **no localities** where sexual entertainment premises are suitable e.g. a **NIL** limit should be set. In the event of SEVs being located within South Ayrshire the council should consider both amenity and stigma nuisance associated with SEVs and have mandatory requirements included within policy statements.

In addition, South Ayrshire Council should carry out an equality impact assessment (EQIA) when deciding whether to pass a resolution and deciding on the nature of the resolution. EQIAs are a pre, not post hoc tool for developing policy and services, therefore any resolution that has such a clear gender dimension should certainly be accompanied by a rigorous EQIA.

## **Appendix C: QUESTIONS**

### **Q1.Developing a policy on the licensing and regulation of SEVs**

If the council was to pass a resolution to licence SEVs, and develop a SEV policy statement, consideration needs to be given to the licensing boards existing position on SEVs. The alcohol licensing policy statement clearly outlines that no adult entertainment are allowed within alcohol licenced premises. An extract from the licencing boards position on adult entertainment is outlined below:

#### **Extract from South Ayrshire Alcohol Licencing Policy Statement:**

##### **'8. Adult Entertainment**

*Premises managers should ensure that no forms of entertainment offered on the premises conflict with any of the licensing objectives. Following consultation carried out in May 2009, the Board will not normally permit adult entertainment in any premises. Adult entertainment means any form of entertainment which:*

*(a) Involves a person performing an act of an erotic or sexually explicit nature.*

*(b) Is provided wholly or mainly for the sexual gratification or titillation of the audience.' (South Ayrshire Alcohol Licencing Policy Statement, Pg 10)*

The local authority, needs to consider that there is a significant likelihood that SEVs will apply for an alcohol licence, and that if they decide to pass a resolution to license SEVs, the licencing board would need to review this aspect of their alcohol licensing policy statement. Consideration needs to be given to the existing position on 'adult entertainment' and that the resolution to licence SEVs may create inconsistencies in the council's policies and messages to the public.

**Q2. Whether you believe that imposing standard conditions to SEV licences would assist in safeguarding the wellbeing of performers, customers and the wider public?**

If the council was to pass a resolution to licence SEVs, the SEV policy statement should impose standard conditions to SEV licences with clear guidance on the responsibility of the SEV licences to comply with clear guidance on the implications for licences if they fail to meet these conditions. This would need to be enforced by the local authority with suggested model similar to Alcohol Licensing Officers. Whilst sexual entertainment venues suggest that their premises are well regulated, the compelling evidence of the last 20 years from the UK examining these venues demonstrated that the rules are routinely ignored. A study of lap-dancing clubs in Glasgow and London reported that none of the six clubs visited by researchers fully adhered to the terms of their licence (Bindel, 2004).

As earlier acknowledged the operating of SEVs is fundamentally incompatible with existing strategies Scottish Government Strategies (Equally Safe), causing harm to all women by sanctioning objectification of women's bodies and reinforcing gender inequality, encouraging unhealthy attitudes to women and therefore damaging to society as a whole.

If the local authority decides to licence SEVs, then standards conditions would assist however not mitigate, in safeguarding the wellbeing of performers, customers and the wider public by providing regulated environments. For example, these conditions should seek to reduce the risk of criminality (such as human trafficking and prostitution) and providing conditions which ensure the safety of anyone visiting or working on, or in the vicinity of the premises is not compromised. In addition to the minimum standards expected of workplaces through health and safety regulation, these conditions should seek to protect women, increase safety and reduce violence. The conditions should seek to support performers to access relevant healthcare and support services. This should also include consideration of the safety of the wider public and community where the premises is located.

In addition to setting out the standard conditions for SEV licences, consideration needs to be given to the enforcement of conditions and the consequences of failure to comply.

**Q3. 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 explain your answer?**

In order to protect performers, and reduce the negative impact on the wider public, the local authority needs to ensure they consider all aspects and the actions required. While the list below is useful, a wider working group should be considered to develop the standard licence conditions. The following conditions should be adopted:

<b>Condition</b>	<b>Reason/Additional Comments</b>
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 authorised local authority officers;	YES – To ensure licence is complying with employment regulation and with personal data collected and stored in line with GDPR.
Ensure immigration status is in order and actively seek to identify performers who may have been the victim of human trafficking	YES – To encourage operators to identify potential victims of human trafficking In addition: this should include ensuring performers are over 18.

<b>Condition</b>	<b>Reason/Additional Comments</b>
Provision of hygienic changing and showering facilities and a toilet with access to hot water exclusively for the use of the performers;	YES – To meet basic human rights and health and safety regulations.  In addition: To ensure the safety of performers it is essential that these facilities are only accessible to performers. The premises management should ensure privacy for performers within these facilities.
Performers to be escorted by security to nominated taxi or to their car at end of shift	YES – In addition consideration should be given to the safety of performers when starting their shift.
Regulation of the display of advertisements on or connected to the venue	YES - Controls on exterior advertising and signage of the SEV should include the prohibition of advertising in public spaces, including on billboards and leafleting.
The interior of the SEV not to be visible to passers-by;	YES – This should also consider the access to the premises
The licence holder to ensure no physical contact between performers and customers	YES – To increase safety of performers and reduce violence. This regulation should set out what physical contact includes.
The licence holder to ensure that customers do not to offer or ask for any form of contact details from performers	YES – To increase safety of performers both within and out with the premises
The licence holder to ensure no photographs or video recordings are taken of the performers	YES – To reduce risk of exploitation through online images/videos

**Q4. Are there any other relevant standard licence conditions that you think would be relevant?**

Additional standard licence condition should include:

<b>Condition</b>	<b>Reason/Additional Comments</b>
Employment of security guards/door supervisors with guidance on number and times of work	In line with ensuring the safety of performers and reducing the impact on the wider public/local area
Use and storage of CCTV	To increase safety and support the regulation of premises. However the local authority would need to be clear on the purpose of this and who has access to this material.
Set break times for performers	In line with employment legislation
Provision of break room exclusively for performers	Ensure their safety during breaks



<b>Condition</b>	<b>Reason/Additional Comments</b>
Access to medical and sexual health checks	Onsite or information available on local services
The customers to be informed of the rules of customer conduct that is deemed acceptable	This information should be visible at all times and displayed in all areas of the premises including private/VIP rooms
Licence holder to ensure customers do not engage in any unlawful activity with SEVs	Management/licence holder should be on the premises during all opening hours to ensure customers to not engage in any unlawful activity within their SEVs.
Cost of the licence	The Local Authority should consider the cost of the licence which should reflect the cost to the local authority to issue, regulate and enforce SEV licences and the cost to wider community including local business, services and additional resources required such as police.

**Q5. Can you make any other suggestions as to how the council could adequately address the licencing objectives within an SEV policy statement, these being:**

To ensure compliance with the licencing objectives the SEV policy statement should outline the expectation that a personal licence holder to be present on the premises at all times in order to ensure compliance with all the licensing objectives and that the management of the premises should be in a manner which is consistent with the licensing objectives.

**1. Preventing public nuisance, crime and disorder**

The SEV Policy statement should outline the expectation that SEV operating plans will include information as to how applicants will secure public safety and prevent public nuisance, crime and disorder. This should include how they will ensure the safety of performers, passers-by (public) and local community safety and address associated problems such as drunkenness on premises, unacceptable public drunkenness, illegal possession and/or use of drugs, violent behaviour and antisocial behaviour. In addition consideration should be given to noise nuisance and the expectation that SEV licence premises do not cause 'nuisance' with robust management controls in place to ensure suitable internal and external noise levels are not exceeded.

In addition the SEV operating plan should include information on how applicants will protect and maintain the amenity of residents and occupiers of other businesses from any adverse consequences of the operation of a SEV licenced premises. The operating plan should demonstrate how the premises will be good neighbours both to residents and other local businesses.

The policy statement should outline the expectation the licensing board will take into account any relevant evidence, especially of the impact on local residents and businesses and will also look at the measures proposed by the applicant to mitigate any adverse impact. This may lead to additional conditions being placed on licences.

**2. Securing public safety**

The local authority SEV Policy Statement should outline the commitment to securing public safety including a committed to ensuring that the safety of any person visiting, or working on, or in the vicinity of, licensed premises is not compromised. This should include the expectation that SEV

operating plans details of precautions taken such as detailed information on the precautions installation of CCTV, door supervisors (in line with SIA requirements - <http://www.sia.homeoffice.gov.uk/Pages/home.aspx>), smoking areas in private areas away from public spaces.

### **3. Protecting children and young persons from harm**

The SEV Policy Statement should outline the expectation that applicants operating plans give detail of the measures which have been identified to protect children and young people.

### **4. Reducing violence against women**

As earlier acknowledged the operating of SEVs is fundamentally incompatible with existing strategies Scottish Government Strategies (Equally Safe), causing harm to all women by sanctioning objectification of women's bodies and reinforcing gender inequality, encouraging unhealthy attitudes to women and therefore damaging to society as a whole. As outlined earlier if the local authority decides to licence SEVs then it must claim a certain level of responsibility for women's safety in these establishments and of the women and girls living and working in the local community. Therefore, the policy statement must clearly outline mandatory operating requirements for licences with clear expectations, regulation and enforcement.

SEV policy statement should outline expectations of the management of SEVs to protect women and reduce violence against women. The policy statement should include the different aspects which applicants need to consider (such as the safety of women, reduced violence and trafficking) and the expectation that applicants operating plans will outline how they will reduce violence against women.

Sharon Hardie  
GBV Operational Lead  
NHS Ayrshire & Arran

#### **References**

Bindel, J. (2004) *Profitable Exploits: Lap Dancing in the UK*, Metropolitan University, London

Equality Act 2010, United Kingdom

Harcourt C, Donovan B. The many faces of sex work. *Sexually Transmitted Infections*. 2005; 81(3): 201–206. [PubMed: 15923285]

Holsopple, K (1998) *Stripclubs According to Strippers: Exposing Workplace Sexual Violence*, available online at <http://www.uri.edu/artsci/wms/hughes/stripc1.htm>

Jeal, N. and Salisbury, C. (2004) A health needs assessment of street-based prostitutes: cross-sectional survey. *Journal of Public Health*, Vol. 26, 2:147-151.

Lillith Project (2002), *The Truth about Strip Joints*, Director's Report.

Lewis, M (2002) *Strip Joints – What Women REALLY think*, Sheffield Women's Forum.

South Ayrshire Alcohol Licencing Policy Statement - <https://www.south-ayrshire.gov.uk/licensing/documents/pol20181203licpol%20final.pdf>

---

The Scottish Government: Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls (2016)

## **2. South Ayrshire Violence Against Women Partnership**

### **Civic Government (Scotland) Act 1982: Consultation on the future policy development of Sexual Entertainment Venues (SEV's)**

South Ayrshire Violence Against Women Partnership (SAVAWP) welcomes the opportunity to respond to this Consultation produced by South Ayrshire Council Licensing Committee.

The SAVAWP is a multi-agency partnership to tackle violence against women and children and is committed to addressing violence against women as a form of gender based violence and to offering appropriate, high quality services to women and children, underpinned by a clear and unequivocal commitment to promote gender equality and inclusion across South Ayrshire.

The SAVAWP is working together to try to dismantle all aspects of violence against women including (but not limited to) domestic abuse, rape, sexual assault, sexual harassment, child sexual abuse, stalking, honour based abuse, and commercial sexual exploitation including (but not limited to) prostitution, trafficking, pornography, lap and pole dancing.

The SAVAWP is made up of representatives from agencies working with women and children in South Ayrshire including: South Ayrshire Council, Police Scotland, Scottish Fire & Rescue Service, South Ayrshire Women's Aid, NHS Ayrshire & Arran, Procurator Fiscal's Office, Moving On Ayrshire, Ayr Faculty of Solicitors, ASSIST, Community Justice Ayrshire, Barnardo's, Ayrshire College, Ayrshire Women's Hub and Victim Support.

The SAVAWP is coordinated by the Community Safety Team, South Ayrshire Council and meetings are held quarterly.

It is the view of the SAVAWP that all forms of commercial sexual exploitation contribute to creating and sustaining gender inequality and objectify women. In our view activities such as lap dancing, stripping, prostitution and pornography are inextricably linked to the sexual commodification of all women and girls, this is both harmful and damaging not only to women and girls, but to our society and our culture.

The SAVAWP accepts that regulation is necessary in order that women and girls are afforded the same rights and protections that any other human being would reasonably expect.

**'A licensing regime should be adopted to licence and regulate SEV's. However I consider the form of "entertainment" to be degrading and often exploitive to, in most cases, the women involved as well as fostering a culture where women are objectified. I don't consider these venues to have any positive value to South Ayrshire'. (Comment from a member of SAVAWP.)**

Please find below our SAVAWP responses as per the Consultation:

#### **Do you think that SEV's in South Ayrshire should be licensed? If so why?**

The SAVAWP supports South Ayrshire Council (SAC) the right to regulate SEV's across the local authority area. Should SAC fail to adopt the discretionary powers now available to them under the 1982 Act, then SEV's could continue to operate without regulation or any additional conditions attached and then the local authority would have no control or regulation over the provision of sexual entertainment within any SEV's. It is fundamentally important that SAC asserts its right to regulate.

Equally Safe is the Scottish Government and COSLA's strategy to prevent and eradicate violence against women and girls. Underpinning the strategy is a gendered analysis of its understanding of violence against women and girls and this includes commercial sexual exploitation within its definition. The strategy recognises that this violence stems from deep rooted and systemic gender inequality and the subordinate position women occupy in society in relation to men.

Commercial sexual exploitation is broken down to include prostitution, trafficking, pornography, lap and pole dancing, stripping, peep shows, internet and phone sex, internet brides, this list is not exhaustive.

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

All of us who live and work in South Ayrshire feel proud of the area and are anxious to make sure that we continue to have good employment prospects; low crime rates and an attractive environment. The South Ayrshire Community Planning Partnership shares these hopes and is determined to make sure that the area is seen as one of the best places to live and work in Scotland

The Community Safety Team, South Ayrshire Council, coordinates SAVAWP. Community Safety Priorities includes – 'Reduce the level of violence and antisocial behaviour in our communities (including violence against women). The provision of SEVs in our communities is not in keeping with these shared values.

South Ayrshire Council has a Public Sector Equality Duty. Having SEVs in our communities across South Ayrshire will not advance the equality of opportunity of women workers or residents. The SAVAWP is of the view that SEVs contribute to the sexual objectification of women and therefore not in keeping with the principles of equality.

The presence of SEVs close to transport hubs, shopping areas, clubs and bars can create a sexually aggressive environment in which women and girls can feel fear and intimidation or could be in danger of being sexually harassed.

**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?**

Women working in an environment where sexual harassment is the norm, does impact on the mental health and wellbeing of women. It impacts on their self-esteem, self-worth leading to low mood and depression, often accompanied by anxiety.

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

South Ayrshire is an area known for its beaches, culture, Robert Burns, Culzean Castle, and many more beautiful sites, locations and historical attractions. South Ayrshire Council should consider these attributes when considering the provision of an SEV in the area. It would not be an attractive asset for a family friendly area for local residents and tourists.

In 2018, the SAVAWP held an exhibition, 'Inside Outside' in Ayr Town Hall (old court and cells) about women in Scotland who had been involved in or had exited prostitution. It was an extremely emotive and thought provoking insight to this subject. Subsequently, just following the exhibition, there were two disclosures of local Ayr Town Centre properties being used as brothels and one with trafficked women victims. Police Scotland dealt with this matter appropriately.

~~As there are links to the exploitation of women involved in SEV's and prostitution, it would be detrimental to South Ayrshire's efforts to promote the local areas and tourist attractions and also the night time economy, while having the presence of any SEVs in the area.~~

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

It is important that others are considered with any decision to license a SEV, this includes where in South Ayrshire the venue is located. South Ayrshire Council would need to consider the impact it would have on residents, businesses, visitors and tourists and workers. All of these people should have the right and ability to access all areas of the local authority equally and safely. The SAVAWP considers there is no location across South Ayrshire which is appropriate for a sexual entertainment venue.

**If SEV's are to be licensed, what should the appropriate number be?**

South Ayrshire Council should adopt a 'NIL' policy for SEV's as per a number of reasons stated above.

**QUESTIONS COMMITTEE 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?**

Although the SAVAWP strongly requests SAC to adopt a 'NIL' policy for SEV's due to the number of reasons as stated above. However we would support the inclusion of standard conditions to SEV licenses to safeguard 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?**

As previously stated, the SAVAWP has called for a 'NIL' policy. However if this was not adopted by the local authority, we would recommend additional conditions to the standard licencing conditions as per the following:

- Licensing Officers should have access to Risk Assessments and regular inspections of the SEV's, including unannounced inspections
- License holders, bar staff and door security staff should attend mandatory equalities training as determined by the local authority Equality Officer
- Performers working in the SEV's should have access to safe working facilities and separate from the opposite sex and meet with health and safety regulations
- There should be a maximum number of performers on stage at any one time and performers should not be fully naked
- Prohibition of Private Booths
- Controls on exterior advertising, signage including in public spaces e.g public transport, taxis

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

- Performers should be provided safe transport home and paid by the SEV license holder
- SEV's should not be licensed for late night (terminating at 4am) alcohol licenses
- Any performers who provide passport and visa documents to the licensee must have these returned to them to prevent any form of exploitation and coercion
- SEV's must be able to ensure there visible codes of conduct for staff and customers and that all health and safety regulations are adopted
- Licensing of SEVs should be on a different scale from the arrangements for a local authority alcohol license. In England and Wales the charging arrangements are very different
- Ensure an Equality Impact Assessment is part of the licensing process and decision

**Can you make any other suggestions as to how the Council 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**

If South Ayrshire Council fail to adopt a 'NIL' policy on licensing SEV's, it is sending a message that the sexual entitlement of men takes precedence over the equality, safety and wellbeing of women and girls in our area. The local authority could be exposing vulnerable women and girls to exploitation with an impact on local policing dealing with possible subsequent criminal activities.

As per mentioned previously, the local authority have to ensure the public safety of all residents, workers, visitors and tourists across South Ayrshire. The SAVAWP and the Sexual Exploitation Joint Action Group, along with Child Protection and Adult Protection Committees, have developed local strategies to ensure protection of children and young people from harm. By failing to regulate SEV's locally, the local authority could be exposing children and young people to come into contact with activities which are for 'adult entertainment' only.

'Reduce the level of violence and antisocial behaviour in our communities (including violence against women)' is a priority outcome for Community Safety within South Ayrshire Council. The SAVAWP has, in line with the national Equally Safe Strategy (preventing and eradicating violence against women and girls), adopted a local Violence Against Women Strategy. SAVAWP also has to report the Improvement Service on the Equally Safe Quality Standards and Performance Framework. This annual collaborative exercise, with other thematic partnerships, including the Community Planning Partnership, is to ensure that Violence Against Women Partnerships have a key important role to play in providing quality assurance for local services, policies and processes to ensure that they are evidence-informed and contribute to positive outcomes for women and children.

The role of the South Ayrshire Violence Against Women Partnership should therefore be taken into consideration by the South Ayrshire Council that we work towards ensuring that women and girls and vulnerable people, are not exposed to physical, emotional and psychological harm which could occur in the event of SEV's established or not appropriately regulated in our area.

### **South Ayrshire Violence Against Women Partnership**

#### **3. Belmont and Kincaidston Community Council**

I distributed printed copies of the consultation to members of the Community Council at the meeting prior to the last and at our October meeting we had an interesting discussion.

The feeling of the meeting was in view of the availability of porn on the internet it would be unlikely that anyone could earn a living from such a venue here in South Ayrshire. One of the members had recently returned from a trip to London and had walked along streets in Soho that in the 1970's had many sex shops and clubs, these had all vanished and while having lunch in a public house had mentioned this to the barman who said the internet had destroyed the local sex industry.

The members were very relaxed about allowing one or a number of sexual entertainment venues provided they were properly licensed and properly controlled.

Only one member had a view against this facility, he is a man of the cloth so that did not surprise anybody.

The agreed response from the Community Council is that the Council has no strong opinion either against or for this facility being licensed in South Ayrshire.

Kind Regards

Ian Douglas

Chair Belmont and Kincaidston Community Council

#### **4. Dundonald Community Council**

Dear Sir/Madam

I write on behalf of Dundonald Community Council. The Community Council agrees that if such venues exist then they should be licensed and policed accordingly to ensure the safety and well-being of the local community and those employed within such establishments. The Community Council took the view that the number of licences, if any, to be made available within the South Ayrshire Council area should be decided by the Licensing Committee/Board.

Yours faithfully

Margaret Sloan

Secretary

--

For and on behalf of:  
Dundonald Community Council

#### **5. Craigie Community Council**

in response to the consultation about sev in South Ayrshire , Craigie community council would like to see a zero tolerance of sev,s . At the moment there are no venues in Ayrshire and we feel a licensing system should be put in place to discourage such venues  
Gavin Morton ,chairman , Craigie Community council

#### **6. Sophia Cairns (By email only - no address given)**

I'm a lap dancer and have been for many years, I live Tarbolton and I have to travel to Glasgow for work every weekend.

I think granting an sev license in Ayrshire would be a great thing for people like myself. It will also be really good for bringing more business into Ayr.

I have worked these clubs for quite a few years now and they are very safe places to work , the dancers are treated very well and there is never any trouble in these type of clubs unlike normal night clubs, my friend told me about this being considered in Ayr and I just had to try to give my thoughts on it

#### **7. Andrew Cox (By email only – no address given)**

I would just like to say that I feel adult entertainment would be beneficial to the south Ayrshire night time economy.

As long as it's in a well run establishment it would be welcome by everyone I know. My wife and I regularly go to ones elsewhere and really enjoy it.

Thanks

**8.Graham Dempsey (By email only – no address given)**

I'm writing to say that i think that a license for a lap dancing venue in Ayr should be granted. I live in Ayr and I have to travel to Glasgow to visit these types of venues.

I also know that many Girls that work in the clubs have to travel to Glasgow for work.

In all my years visiting these clubs I've never seen any trouble or felt unsafe in anyway so for that reason I think granting a license for such a venue in Ayr can only benefit the town.

**9.Margaret Gossman (By email only – no address given)**

I was on SAC website intending to do a survey regarding 'Quality of Life' when I came across a consultation document regarding licensing of SEs. I strongly object to any kind of entertainment of this nature whether licensed or unlicensed. I am of the belief that this sort of entertainment exploits people and if any sort of licence was given for this purpose it would only give South Ayrshire a seedy reputation. Does this have to happen!

Margaret Gossman

**10.Alistair Paterson**

Signs of Ayr going completely down the tube. Is SAC a 'Sleeze Council"?

Alistair Paterson

KA7 1JL



## South Ayrshire Council Equality Impact Assessment Scoping

## 1. Proposal details

Proposal Title <b>Sexual Entertainment Venues Consultation</b>	Lead Officer <b>Morag Douglas</b>
---	--------------------------------------

2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this proposal? Please indicate whether these would be positive or negative impacts

Community, Groups of People or Themes	Negative Impacts	Positive impacts
The whole community of South Ayrshire		X
People from different racial groups, ethnic or national origin.		X
Women and/or men (boys and girls)		X
People with disabilities		X
People from particular age groups for example Older people, children and young people		X
Lesbian, gay, bisexual and heterosexual people		X
People who are proposing to undergo, are undergoing or have undergone a process to change sex		X
Pregnant women and new mothers		X
People who are married or in a civil partnership		X
People who share a particular religion or belief		X
Thematic Groups: Health, Human Rights, Rurality and Deprivation.		X

3. Do you have evidence or reason to believe that the proposal will support the Council to:

General Duty and other Equality Themes	Level of Negative and/or Positive Impact (high, medium or low)
Eliminate discrimination and harassment faced by particular communities or groups	low
Promote equality of opportunity between particular communities or groups	low
Foster good relations between particular communities or groups	low
Promote positive attitudes towards different communities or groups	low
Increase participation of particular communities or groups in public life	low
Improve the health and wellbeing of particular communities or groups	low
Promote the human rights of particular communities or groups	low
Tackle deprivation faced by particular communities or groups	low

## 4. Summary Assessment

Is a full Equality Impact Assessment required? (A full EIA must be carried out on all high and medium impact proposals)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Rationale for decision: <b>The report is in connection only with implementing a consultation process which will lead to a further report being prepared for the Leadership Panel which may have substantive proposals which will require to be assessed.</b>			
Signed : <b>Catriona Caves</b> .....Head of Service			
Date:	<b>5 August 2019</b>	Copy to <a href="mailto:equalities@south-ayrshire.gov.uk">equalities@south-ayrshire.gov.uk</a>	

## SEV List of Consultees

Service	Contact Name	Address
Police Scotland	Chief Superintendent Raymond Higgins	10 St Marnock Street, Kilmarnock, KA1 1TJ
Scottish Fire & Rescue		Fire Station, 3 Station Road, Ayr, KA8 0ES
Elected Members		
Community Councils	Tracy Whiteford	
South Ayrshire Violence Against Woman Partnership	Heather Davidson	
Child Protection Committee	Jim Kerr	
Adult Protection Committee	Jim Kerr	
Health & Social Care Partnership	Linda Semple	
NHS Ayrshire & Arran	Sally Armour	
Community Lead Action Plans		
South Ayrshire Community Planning Partnership		
Head of Education	Lyndsay McRoberts	
Ayrshire Chamber of Commerce	Claire Baird - CEO/ Alison Somerville - President	The Mezzanine, Glasgow Prestwick Airport, Prestwick, Ayrshire, KA9 2PL
Ayr Saint Columba Church		Midton Road, Ayr, KA7 2SL
St Andrew Parish Church		Park Circus, Ayr, KA7 2DL
Holy Trinity Episcopal Church		25 Fullerton Street, Ayr, KA7 1UB
Riverside Evangelical Church		John Street, Ayr, KA8 0BS
St Leonards Parish Church		St Leonards Road, Ayr, KA7 2PR
St Margarets Cathedral		27 John Street, Ayr, KA8 0BS
Ayr Baptist Church Centre		51 Fort Street, Ayr, KA7 1DL
Presbytery of Ayr		50 Main Street, Prestwick, KA9 1PQ
Diocese of Galloway		Candida Casa, 8 Corsehill Road, Ayr, KA7 2ST
Al Huda Educational Society Kilmarnock		Ayrshire Central Mosque, 58 Hill Street, Kilmarnock, KA3 1JD
Ayrshire Muslim Education Centre		57 London Road, Kilmarnock, KA3 7AH

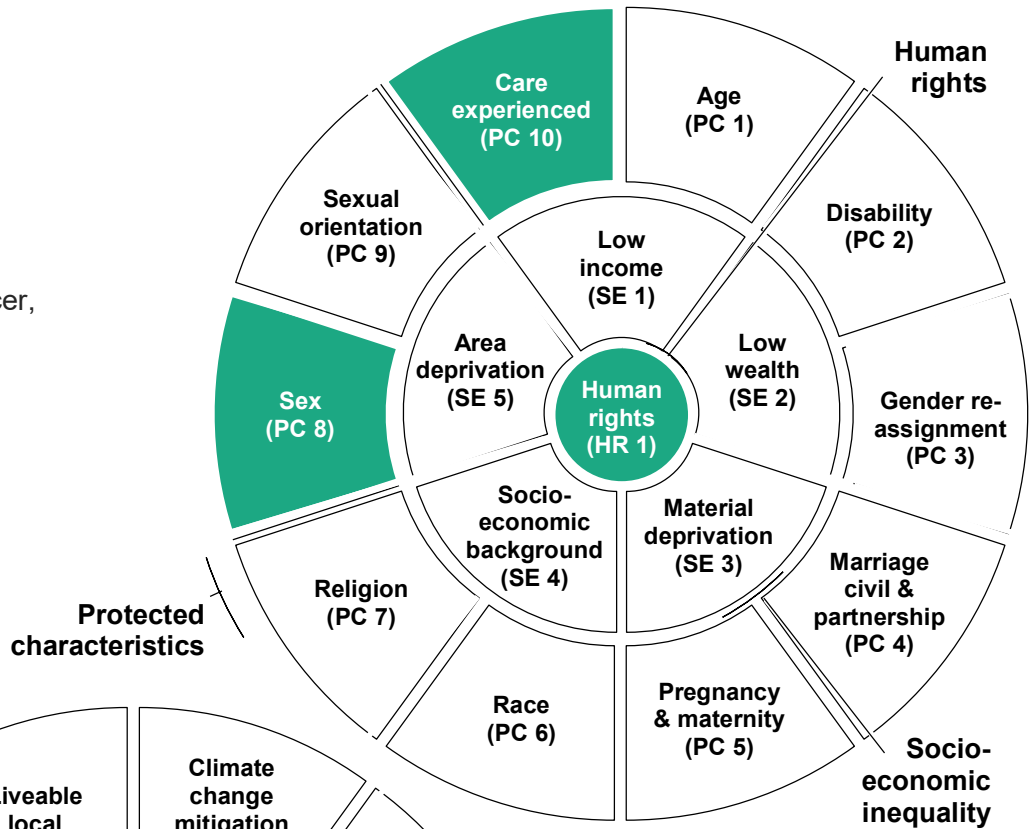


# Integrated Impact Assessment Summary Report

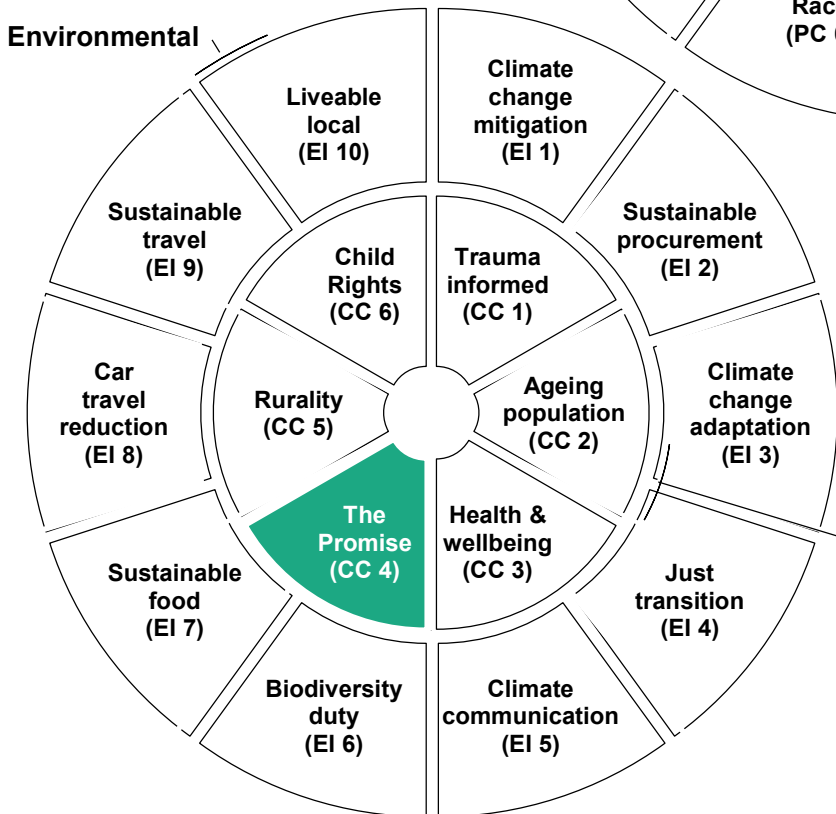
The introduction of a policy on the licensing of Sexual Entertainment Venues (SEV's)

Completed by:  
 Catriona Caves,  
 Chief Governance Officer,  
 Legal and Licensing

Date started: 28.11.24



To be implemented on:  
 01/05/25  
 Review date:  
 As required  
 Oversight Panel:  
 Cabinet



**Cross-**

negative impact	uncertain / not clear
positive impact	no impact / not applicable

**Public sector equality duty**

---

Eliminating unlawful discrimination, harassment, and victimisation?

Setting the number of SEV's at zero could assist in reducing harassment against women

---

Advancing equality of opportunity?

No impact

---

Fostering good relations?

No impact

---

**Consultation declaration**

We confirm consultation has been carried out as part of this process.

---