

Licensing Panel (Non Licensing Act 2003 Functions)

Date: **17 February 2025**
Time: **10.00am**
Venue **Council Chamber, Hove Town Hall**
Members: **Councillors:** McGregor, Cattell, Pickett

Contact: **Francis Mitchell**
Democratic Services Officer
01273 294183
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AGENDA

PART ONE

Page

1 TO APPOINT A CHAIR FOR THE MEETING

2 PROCEDURAL BUSINESS

(a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the Licensing Committee may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest:**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

3 PUSSYCAT CLUB LICENSING PANEL (NON LICENSING ACT 2003 FUNCTIONS)

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Contact Officer: Charles Boufrahi
Ward Affected: Queen's Park

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact Francis Mitchell, (01273 294183, email Francis.Mitchell@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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LICENSING PANEL	Agenda Item
(Non Licensing Act 2003 Functions)	Brighton & Hove City Council

Subject:	Application for renewal of a Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982		
Premises:	Pussycat Club, 75 Grand Parade, Brighton		
Applicant:	Saltire Investments Ltd		
Date of Meeting:	17 February 2025		
Report of:	Corporate Director of City Operations		
Contact Officer:	Name:	Emily Fountain/Sarah Cornell	Tel: (01273) 295801
	Email:	Emily.fountain@brighton-hove.gov.uk . sarah.cornell@brighton-hove.gov.uk	
Ward(s) affected:	Queens Park		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for renewal of a Sexual Entertainment Venue (SEV) licence for the Pussycat Club under the Local Government (Miscellaneous Provisions) Act 1982

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for renewal of a Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act for the Pussycat Club, 75 Grand Parade, Brighton.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

The following extracts from Brighton & Hove City Council Sex Establishment Policy 2010 are considered relevant to this application

- 3.1 The Council has a duty to promote equality, consider crime and disorder and ensure fair and rational determination of applications. The policy will apply to all applications for sex establishment licences. There are 3 categories of sex establishments:

- Sex shops
- Sex cinemas
- Sexual entertainment venues

Sex establishments are defined and regulated by Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the Act') as amended by the Policing and Crime Act 2009. Brighton & Hove City Council adopted the

amended provisions of Schedule 3 of the Act on the 15 July 2010. Sex Establishment Policy attached at Appendix A.

General principles – all sex establishments: Each application for a grant, renewal or transfer of a licence will be considered on its individual merits subject to the principles and approach set out in the policy. The policy will be kept under review.

3.2 Existing SEV licence attached at Appendix B.

For context, the original SEV licence was applied for and granted in 2011 after new legislation was brought in by the Government to licence SEV's. No objections were received at this time so the application was granted. The premises renewed the SEV on a yearly basis without issue until 2017 when the Police objected to the suitability of the licence holder, a panel hearing was arranged following the objection. Following consultation with the premises management, the Police withdrew their objection after a condition was agreed to be added to the licence and the panel hearing was withdrawn. The licence was subsequently renewed with the added agreed condition.

The premises failed to renew the SEV licence in 2020 and it therefore expired. A new SEV licence was applied for in 2021, no objections were received and the licence was granted without the Police condition. The licence has been renewed yearly since then until the most recent renewal application where objections were received.

3.3. Renewal application received 17.06.24 attached at Appendix C.

- 3.4 A licence will not normally be granted or renewed in the following circumstances:
- (a) that the applicant is unsuitable to hold the licence by reason 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 refused the grant or renewal of such a licence if he made the application himself.
 - (c) that the number of sex establishments or of sex establishments of a particular kind in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality.
 - (d) that the grant or renewal of the licence would be inappropriate having regard
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

The policy states the following regarding Renewals:

Licences will normally be renewed unless circumstances have changed. The following matters would be taken into account:-

- (a) levels of recorded crime and disorder linked to the licensed premises;
- (b) evidence of a demonstrable impact on neighbours' safety or amenity;
- (c) effectiveness of appropriate measures, such as conditions, to mitigate adverse impacts.

Hearing Procedures

- Renewal applications where objections are received will be determined by Licensing Panel (Non- Licensing Act 2003) (Licensing sub-committee).
- Applicant and objectors will have an opportunity to be heard.
- A notice of hearing will be sent to all parties.
- Where there is any possibility that an application may be refused, the applicant must be given the opportunity to be heard by the Licensing Panel.
- Any reasons for refusal will be notified orally as soon as possible and in a written statement within 7 days.

3.5 The Equalities Impact Assessment (EIA) has been completed as a result of objections received and in order to assist the decision makers to assess the equalities impact and apply the PSED. The EIA can be found at Appendix E.

3.6 Section 149 of the Equality Act 2010 Public Sector Equality Duty (PSED) imposes a statutory duty on the City Council, in the exercise of its functions, to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The determination of applications for a sex establishment licence is a function of the council therefore the City Council must have due regard to the PSED. It is acknowledged that the PSED must be “exercised in substance, with rigour and with an open mind” by the decision-maker personally and may not be delegated (see the summary in *R (Bracking & Ors) v Secretary of State for Work & pensions* [2013] EWCA Civ 1345 at [73]).

The PSED is not “a duty to achieve results” but a duty “to have due regard to the need to achieve the goals identified in paras (a) to (c) of s 149(1) (see *Hotak v Southwark LBC* [2015] @ WLR 1341 at para [74]).

Sex equality-based concerns are relevant considerations to the due regard of the PSED in the context of an application for a sex establishment licence under the 1982 Act (see *R on the application of CDE v Bournemouth, Christchurch & Poole Council* [2023] EWHC 194 (Admin)).

4. CONSULTATION

A total of 18 objections were received. 2 objections were particularised. A summary of the main concerns are:-

Numerous breaches of the council's own Sex Establishment Policy 2010:

- Section 4 – In an ‘unfit’ location (practically on university campus, near schools and churches, in a main shopping and residential area, by places of

historical interest and in an area of high crime). The policy states SEV licenses will only be granted in the locations outlined in 4.1 and 4.2 'in exceptional circumstances'. The council needs to justify what these 'exceptional circumstances'

- Concerns about vulnerable young girls and women and equality.
- Viewing this application through the lens of reducing harm, specifically reducing violence against women and girls in a city with higher than average rates of domestic violence and sexual assault.

4.1 On receipt of the objections (Appendix D) the details were sent to the applicant.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

There are 3 SEVs in total. SEV fees are based on licence renewals and the current fee charged is £3,950 per annum.

Finance Officer Consulted Michael Bentley

Date: 23/01/2025

5.1 Legal Implications:

5.1a Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 governs sex establishments. The panel must determine this application having regard to all relevant factors and the rules of natural justice.

5.1b Regard must be had to the Human Rights Act 1998.

The circumstances of an SEV application may require regard, amongst other rights, to:

Art 6: Right to a Fair Trial

Art 10: Right to Freedom of Expression; and
Protocol 1, Article 1: Protection of Property.

Lawyer Consulted: Rebecca Sidell

Date: 23/01/2025

5.2 Equalities Implications:

5.2a The Equalities Impact Assessment (EIA) has been completed as a result of objections received and in order to assist the decision makers to assess the equalities impact and apply the PSED. The EIA can be found at Appendix E.

Sustainability Implications:

5.3 There are no direct sustainability implications.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Sex Establishment Policy and Conditions for Sex Establishments
2. Appendix B – Existing SEV licence
3. Appendix C – Renewal application
4. Appendix D – Two objection statements and sixteen brief objections emails.
5. Appendix E – Equalities Impact Assessment (EIA)
6. Appendix F - Plans showing the location of the premises in relation to the surrounding area and points of interest in the area

Brighton & Hove City Council

Sex Establishment Policy 2010

Policy for grant, renewal or transfer of licences for sex establishments, including sex shops, sex cinemas and sex entertainment venues (SEVs)



Brighton & Hove
City Council

Brighton & Hove City Council

2010 Sex Establishment Policy

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Introduction

The Council has a duty to promote equality, consider crime and disorder and ensure fair and rational determination of applications. This policy will apply to all applications for sex establishment licences. There are 3 categories of sex establishments:

- Sex shops
- Sex cinemas
- Sexual entertainment venues

Sex establishments are defined and regulated by Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the Act') as amended by the Policing and Crime Act 2009. Brighton & Hove City Council adopted the amended provisions of Schedule 3 of the Act on the 15th July 2010.

Definitions

Sex Shops

A "sex shop" is any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating:-

- (a) sex articles; or
- (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging:-
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity

Sex Cinemas

A "sex cinema" is any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which:-

- (a) are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage:-
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity; or
- (b) are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions; but does not include a dwelling-house to which the public is not admitted.

Sexual Entertainment Venues

A "sexual entertainment venue" is any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer. "Relevant entertainment" means:-

- (a) any live performance; or
- (b) any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means). This covers the following forms of entertainment (though this is not a comprehensive list): Lap dancing; Pole dancing; Table dancing; Strip shows; Peep shows; Live sex shows. There is an exemption for premises which provide such entertainment less frequently than once a month.

General principles – all sex establishments

Each application for a grant, renewal or transfer of a licence will be considered on its individual merits subject to the principles and approach set out in this policy. This policy will be kept under review.

There are mandatory grounds for refusal of a licence under the Act:

1.1 A licence will not be granted:-

- (a) to a person under the age of 18, or
- (b) to a person who is for the time being disqualified or
- (c) to a person, other than a body corporate, 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, or
- (d) to a body corporate which is not incorporated in the United Kingdom, or
- (e) to a person who has, within a period of twelve months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

These are discretionary grounds for refusal. They would only be over-ridden in exceptional circumstances.

2.1 A licence will not normally be transferred in the following circumstances:-

- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason, or
- (b) that if the licence were to be transferred, 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 refused the transfer of such a licence if he made the application himself.

2.2 A licence will not normally be granted or renewed in the following circumstances.

- (a) that the applicant is unsuitable to hold the licence by reason 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 refused the grant or renewal of such a licence if he made the application himself.

The authority may determine the number of sex establishments applicable to a locality at any particular time.

2.3 All licences will normally be granted subject to the Council's standard conditions set out at the end of this policy.

3.0 **Sex shops and sex cinemas**

3.1 The Council will take into account:-

- proximity to schools and places of worship;
- proximity to community facilities and public buildings;
- cumulative adverse affects of existing sex establishments in the vicinity;
- proximity to areas with high levels of recorded crime;
- the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made, including where the sex

establishment is part of a business, whether there is a separate street entrance to the sex establishment.

In order to discourage a proliferation of sex establishments and to ensure a concentration of sex establishments does not change the character of a neighbourhood to its detriment, licences will not normally be granted:

- (a) in a shopping centre or parade with an existing licensed sex establishment,
- (b) in an area of historic importance, or
- (c) in any street with two or more licensed sex establishments.

3.2 A new licence will not normally be granted in the relevant locality if at the time the application is made the number of sex shops and sex cinemas in the relevant locality is equal to or exceeds the number the authority considers appropriate for the locality.

Locality	Appropriate number
St. James Street shopping parades	2
Brighton Station shopping parades	2
Hove shopping parades	1
All other residential, shopping, commercial, industrial land	Nil

3.3 Licences will normally only be granted in predominantly commercial streets, without prejudice to considering individual applications on their merits and to the generality of paragraphs 3.0 and 3.3 above.

3.4 Applications for occasional events with restricted admissions are excepted or exempted from this general policy. This will allow the relevant committee or sub-

committee to consider such applications on their individual merits, if objections are received.

3.5 Applications for mail order/internet sales only are excepted or exempted from this general policy, allowing the relevant committee or sub-committee to consider such applications on their individual merits.

3.6 **Renewals** – all sex establishments

Licences will normally be renewed unless circumstances have changed. The following matters would be taken into account:-

- (a) levels of recorded crime and disorder linked to the licensed premises;
- (b) evidence of a demonstrable impact on neighbours' safety or amenity;
- (c) effectiveness of appropriate measures, such as conditions, to mitigate adverse impacts.

4.0 **Sexual Entertainment Venues (SEVs)**

The following policy will apply to all applications for SEVs and will only be overridden in exceptional circumstances.

4.1 Licences for SEVs will not be granted within family residential areas, family leisure areas or retail areas where commercial occupiers argue plausibly that SEVs would lower the retail attraction of the area.

- Main shopping streets
- Areas with strong faith communities
- Educational areas
- Areas earmarked for regeneration

- Areas where VisitBrighton and tourism members and officers advise there should be no SEVs
- Areas with history of social difficulties
- Areas with high levels of recorded crime
- Next to a care home which houses vulnerable young people.

4.2 Licences for SEVs will not be granted within sightlines of:

- Schools, youth facilities and colleges
- Public buildings and community facilities

4.3 Except in exceptional circumstances, a new licence for a SEV will not be granted in the relevant locality if at the time the application is made the number of SEVs in the relevant locality is equal to or exceeds the number which the authority considers appropriate for the relevant locality, as follows:

Locality	Appropriate number
Brighton Leisure Centre	3
Hove Commercial Centre	Nil
All other areas within the City	Nil

4.4 Guidelines

- Preference is given to adult, night time leisure areas, arterial routes with high road traffic but little retail and low footfall.
- Character changes may make formerly suitable areas cease to be so.
- Whether Burlesque is considered SEV is a matter of fact and degree, use of waiver may be considered in appropriate circumstances.

- Dual regulation with the Licensing Act 2003 (licensable activities) will be avoided. Relevant entertainment will not also be considered regulated entertainment.
- Exceptional circumstances might include where an operator can identify an uncatered for market which is not unlawful.

4.5 Policy and tacit authorisation

All applications must be properly determined tacit authorisations further to EU Services Directive will not apply.

All Sex Establishments

Hearing Procedures

- New applications will be determined by Licensing Panel (Non-Licensing Act 2003) (Licensing sub-committee). The usual hearing procedures for Licensing Panel 2003 Act will apply, accommodating provisions for objectors set out in paragraphs 9 of Schedule 3 to Local Government (Miscellaneous Provisions) Act 1982 concerning the objectors' names and addresses.
- Applicant and objectors will have an opportunity to be heard.
- A notice of hearing will be sent to all parties.
- Renewal applications will normally be granted unless circumstances have changed (see 3.6 above). The Head of Planning and Public Protection has delegated authority to determine renewal applications.
- Where there is any possibility that an application may be refused, the applicant must be given the opportunity to be heard by the Licensing Panel.
- Any reasons for refusal will be notified orally as soon as possible and in a written statement within 7 days.

**Standard licence conditions made by regulation
for sex shops and sex cinemas**

In these conditions reference to the Licensing Authority means the Brighton & Hove Council, and reference to Premises includes Vehicles, Vessels or Stalls.

1. The terms, conditions and restrictions attaching to the licence shall not be varied except by the Licensing Authority after written notice has been given to the Police and the Fire Authority.
2. All due precautions for the safety of the public and employees shall be taken and except with the approval of the Licensing Authority in writing, the Licensee shall retain control over all portions of the premises to which the licence applies.
3. Good order and decent behaviours shall be maintained in the licensed premises during the hours they are open to the public and the premises shall be conducted decently, soberly and in an orderly manner.
4. The Licensee or some responsible adult nominated by him in writing, and whose nomination has been approved in writing by the Council, shall be in charge of and present in the premises at all times when the public are on the premises. The person in charge shall not be engaged in any duties which will prevent him from exercising general supervision. Nominations in writing, submitted to the Council for approval, shall include a photograph of the person to be nominated.
5. All parts of the premises to which the public are admitted and all passages, courts, corridors and stairways to which the public have access and which lead to the outside of the premises must, in the absence of adequate daylight,

be illuminated by the general lighting when the public are present. Where artificial lighting is supplied for stairs, ramps, or passages external to the premises and is operated by a switch adjacent to an exit door, it need not be in continuous operation but it shall be maintained readily available for use. The general lighting shall be provided by electricity.

6. The Licensee shall comply with any reasonable fire preventative and safety measures that may be required of him by the East Sussex Fire & Rescue Authority or Licensing Authority.
7. All parts of the licensed premises shall be open to free ingress and inspection by:
 - (i) Duly authorised officers of the Licensing Authority;
 - (ii) Police Officers;
 - (iii) Officers of the Fire Authority.
8. The Licence, or a copy thereof, shall be exhibited on the premises and shall be available for inspection by any of the persons mentioned in condition 7 above.
9. Noise such as to cause persons in the neighbourhood to be unreasonably disturbed shall not be permitted to emanate from the premises.
10. The licensee shall at all times ensure that persons entering or leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and persons passing by.
11. The Licensee shall take all reasonable steps to ensure that persons entering or leaving the licensed premises and using adjacent car parks and highways do not conduct themselves in a manner so as to cause annoyance to residents and persons passing by.

12. The days and times the licensed premises are open to the public and a notice indicating those premises are open or closed may be displayed upon the door leading from the street or a public place into those premises and in letters and figures not exceeding 15 mm in height and 5 mm in thickness but on no other part of the premises. The door to which this paragraph applies shall be fitted with an effective self-closing device and remain closed at all times other than when a person is passing through it.
13. The provisions of the Indecent Displays (Control) Act 1981 shall be complied with at all times, and the warning notice defined in Section 6 of the Act of 1981 shall not be displayed on the door leading from a street or public place into the licensed premises but instead shall be displayed on a door or screen located behind or beyond it.
14. Nothing shall be permitted to be on view or visible to members of the general public from the licensed premises which would in any way indicate that the premises are a sex establishment, or that the goods, merchandise or services available therein are those defined in Schedule 3 to the above Act of 1982 as "Sex Shop", "Sex Article", or "Sex Cinema" and the terms of this condition shall apply to any land premises giving access to the licensed premises and shall refer to the name or title of the premises, any advertisement or notice visible outside the premises and to any sound broadcast which can be heard outside the premises.
15. Neither the Licensee nor any employee or other person shall seek to obtain custom for the Sex Shop by means of personal solicitation outside or in the vicinity of the premises.
16. No amusement or gaming machines of any kind, whether for prizes or otherwise, shall be kept or used upon the licensed premises at any time.

17. No person who is apparently under the age of eighteen years, or who is known to any person connected with the licensee's business and present on the licensed premises to be under that age, shall be admitted to or allowed to remain on those premises.
18. The Licensing Authority reserve the power after the grant or renewal or transfer of this licence at any time to dispense with or modify or relax any of these terms, conditions and restrictions, and to make such additional terms, conditions and restrictions as they may deem requisite to meet the circumstances of any particular case.
19. The Licence may be revoked by the Licensing Authority if at any time the holder is convicted of any offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

Brighton & Hove City Council

Prescribed standard conditions made by regulations for SEVs

1. No persons under 18 will be admitted to the premises. The premises will operate a 'Challenge 25' scheme, whereby anyone who appears to be aged 25 or younger is asked for photographic ID to prove their age. The only ID that will be accepted are passports, a driving licence with a photograph or Portman Group proof of age cards bearing the 'PASS' mark hologram. The above list of acceptable proof of age items may be extended to other forms of ID in the future with advance written agreement of the Police without the need to review the actual licence. The Challenge 25 rule and the stipulated forms of acceptable age identification will be clearly stated both on the premises

website and on all membership applications, booking forms, customer contractual documents and promotional literature etc. In addition the licensee will provide a photographic identification system for all entrants to the premises. Recordings to be provided to the police at their request.

2. No under 18's events will be hosted anywhere on the premises at any time.
3. Whilst striptease entertainment is taking place, no customer under 18 shall be on the premises and clear notices shall be displayed at the entrance to the premises in a prominent position so that it can easily be read by persons entering the premises in the following terms:

**NO PERSONS UNDER 18 TO BE ADMITTED.
ENTERTAINMENT WITHIN THESE PREMISES
INVOLVES A FORM OF NUDITY.**

IF YOU ARE LIKELY TO BE OFFENDED, PLEASE DO NOT ENTER

4. No intoxicating liquor shall be supplied for consumption off the premises.
5. The only form of relevant entertainment which is approved and may be provided at the premises is striptease entertainment in the form of tableside and pole dancing by club dancers only.
6. The approved striptease entertainment shall be given only by the performers and entertainers and no audience and no audience participation shall be permitted.
7. There shall be no physical contact between the customer and the dancer, with the exception of shaking hands with a customer and/or leading a customer by the hand from a

seated area to a booth for a private dance. In addition and with the exception of the above, there shall be no deliberate physical contact between the customer and the dancer, either immediately before, during or after a dance.

8. Dancers shall only perform on the stage area or at a tableside to seated customers. All booths will have adequate lighting to ensure the safety of the dancer and to ensure that both the member / guest / audience and the performer are adhering to the Club rules at all times. A SIA licensed door supervisor or designated members of staff will have a full and unrestricted view of any dancer performing in a booth at all times.
9. There shall be no physical contact between dancers whilst performing.
10. Dancers may never give out personal information, including telephone numbers, email addresses or other contact details to audience members. Dancers may never accept any telephone number, addresses, business card or any other information from any customer.
11. The private booths will be designed in such a way that there can be no curtain or other visual barrier that can be pulled across the entrance, this concealing activities inside the booth area. The booths will be designed in such a way that the door supervisors / security staff can see into the booths to ensure the safety of the dancers performing inside and to ensure that the club rules are being strictly adhered to at all times.
12. All dancers / performers will be aged over 18 years of age and legally entitled to work in the UK before they perform at the Club. Copies of all dancers files will be made available to the Police Licensing for inspection upon request.

13. The licence holder shall ensure no dancers are trafficked, exploited or controlled for another's gain.
14. Where possible all dancers will be escorted from the premises at the end of each evening to their transport (eg taxis) to ensure their personal safety and security.
15. Members and their guests may not at any time take photographs, film, video or mobile phone photographs or footage of performers.
16. The Licensee will ensure that there is no display outside the premises of photographs or other images that indicate or suggest that striptease or similar entertainment takes place on the premises.
17. Any promotional website for the premises must comply with A.S.A regulations and will not display photographs or other images of topless or nude performers, or show photographs or other images that may reasonably be construed as offensive. The website will include a clear requirement stating the challenge 25 proof of age.
18. Promotional literature. Any promotional literature circulated outside of the premises will not display photographs or other images of topless or nude performers, or show photographs or other images or words that may reasonably be construed as offensive. All promotional literature will include clear statements as to the requirements for challenge 25 proof of age.

Translation? Tick this box and take to any council office.

ترجمة؟ ضع علامة في المربع وخذها إلى مكتب البلدية.	Arabic	<input type="checkbox"/>
অনুবাদ? বক্সে টিক চিহ্ন দিয়ে কাউন্সিল অফিসে নিয়ে যান।	Bengali	<input type="checkbox"/>
需要翻譯? 請在這方格內加劃, 並送回任何市議會的辦事處。	Cantonese	<input type="checkbox"/>
ترجمه? لطفاً این مربع را علامتگذاری نموده و آن را به هر یک از دفاتر شهرداری ارائه نمایید.	Farsi	<input type="checkbox"/>
Traduction? Veuillez cocher la case et apporter au council.	French	<input type="checkbox"/>
需要翻譯? 請在這方格內划勾, 並送回任何市議會的辦事處。	Mandarin	<input type="checkbox"/>
Tłumaczenie? Zaznacz to okienko i zwróć do któregośkolwiek biura samorządu lokalnego (council office).	Polish	<input type="checkbox"/>
Tradução? Coloque um visto na quadrícula e leve a uma qualquer repartição de poder local (council office).	Portuguese	<input type="checkbox"/>
Tercümesi için kareyi işaretleyiniz ve bir semt belediye bürosuna veriniz	Turkish	<input type="checkbox"/>
	other (please state)	<input type="checkbox"/>

This can also be made available in large print, Braille, or on CD or audio tape



**LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982
SEXUAL ENTERTAINMENT VENUE LICENCE**

This Licence is granted:

To: **Saltire Investments Ltd**

of: **24 St Martins Street
Brighton
BN2 3HJ**

authorising the use of the premises situated at:

**The Pussycat Club
75 Grand Parade
Brighton
BN2 9JA**

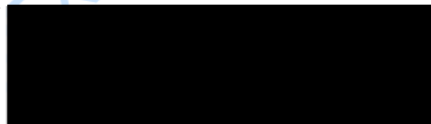
for the purpose of a sex entertainment venue as defined in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

This Licence is issued subject to the standard terms, conditions and restrictions contained in regulations made by the Brighton & Hove City Council, a copy of which is attached.

Issued on **22 June 2023**

This licence shall expire **21 June 2024** unless previously revoked.

Licence No. **2023/02691/SEV**



Head of Safer Communities

NOTE: This licence must be prominently displayed on the premises. Failure to do so is an offence.

Schedule 1, para 17 of the Local Government Miscellaneous Provisions Act 1982 allows the applicant to appeal to a Magistrates Court within 21 days from the date of receipt of this licence against any of the terms, conditions or restrictions attached to this licence.

Appendix C



BRIGHTON & HOVE CITY COUNCIL

Local Government (Miscellaneous Provisions) Act 1982 Part II, Schedule 3

Application for ~~grant~~ / renewal / ~~transfer~~ / variation of a Sexual Entertainment Venue Licence

Applications may be made by individuals, corporate bodies or unincorporated bodies.

1. Application is hereby made and the necessary fee enclosed for a

New Licence ()*

Transfer of Licence ()*

Renewal of Licence (✓)*

Variation of Licence ()*

*Tick as appropriate

2. Name and address of
Premises to which this
Application relates.

THE POSTMARK CLUB

1st & 2nd FLOORS

75 GRAND PARADE

BRIGHTON BN2 9JA

If application relates to a
Vehicle / vessel / stall give
description and state where it
is to be used as a sex
establishment

N/A

3. Full Name of Applicant

SALTIRE INVESTMENTS LTD

Date of Birth

N/A

Occupation (during preceding
six months).

TRADING COMPANY

4. Address for Correspondence
(If different from permanent
Address)

SALTIRE INVESTMENTS LTD

24 ST MARTINS ST

BRIGHTON BN2 3HJ

Telephone No:



If application is made on behalf of a corporate or unincorporated body..

5. Name of applicant body. SALTIRE INVESTMENTS LTD
- State whether a corporate or unincorporated body. CORPORATE
6. Address of registered or principal office. 24 ST MARTIN'S ST
BIZICATON
BNZ SHJ
7. Full names of all directors and other persons responsible for the management of the body, including if applicable the names of managers, company secretary and similar officers and the manager of the establishment.
(You will be required to complete a statutory declaration sheet for each person).
- ① [REDACTED]
(DPS)
- ② KRISTOPHER JOHN McGRATH
(DIRECTOR)
- ③ [REDACTED]
(MANAGER)
8. What hours and days to you require the licence to cover? MON-THU 12 noon - 3.30 am
FRI-SAT 12 noon - 5 am
9. What 'relevant' entertainment do you wish to provide? NUDE LATDANCING
10. If you are seeking to vary the licence, What does the variation consists of? N/A.
11. If the premises are not open between 9.00 am and 4.00 pm, state name, address and telephone number of person responsible for keys to the premises. KRISTOPHER JOHN McGRATH
AND
[REDACTED]
12. If any part of the building is to be

licensed, give details. N/A.
13. Will any part of the premises be used for the exhibition of moving pictures? Yes/No

14. Does the applicant presently use the premises or the vehicle, vessel or stall as a sex establishment? Yes/No

If not, what is the present use? PRIVATE MEMBERS LA DANCE CLUB

If yes, give details of any person, other than the applicant(s) who has run the premises, vehicle, vessel or stall as a sex establishment since that date? N/A.

15. If the premises or the vehicle, vessel or stall are presently used as a sex establishment, when did the use commence. N/A

16. Give full details of the type of business to be conducted at the establishment. SUPPLY OF ALCOHOL & NUDE LAPDANCING

17. I declare I have checked the information given on this application and attached statutory declaration forms and to the best of my knowledge and belief it is correct.

18. The relevant fee of £3,380.00 will be invoiced to you. *

Date: 18/6/24 Signature: 

All applicants are required to send with this application (a) two plans showing the area to be licensed, (b) statutory declaration in the form shown in the attached document in respect of (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other persons who will be responsible for the management of the licensed premises.

* fee of £3,950.00 will be paid before the invoice date of 22/6/24

BRIGHTON & HOVE CITY COUNCIL

Statutory declaration sheet for application for grant / renewal / ~~transfer~~ of
Sexual Entertainment Venue licence.

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name:

KRISTOPHER JOHN McGRATH

Position held

SOLE DIRECTOR SALTIRE INVESTMENTS LTD

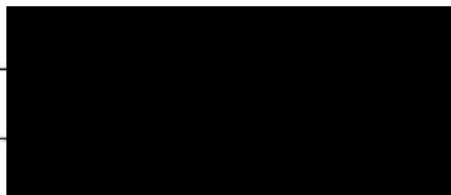
Date of birth



Place of Birth



Permanent address



Address(es) at which
person has been
resident during the
five years preceding
the date of this
application.

AS ABOVE

Details of any relevant previous convictions and/or cautions

Please give details of any "unspent" convictions or cautions (see overleaf)

Date of conviction	Court of conviction	Nature of offence	Sentence
NONE			

BRIGHTON & HOVE CITY COUNCIL

**Statutory declaration sheet for application for ~~grant~~/renewal /~~transfer~~ of
Sexual Entertainment Venue licence.**

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name:

[REDACTED]

Position held

MANAGER

Date of birth

~~1952~~

[REDACTED]

Place of Birth

[REDACTED]

Permanent address

[REDACTED]

Address(es) at which
person has been
resident during the
five years preceding
the date of this
application.

AS ABOVE

Details of any relevant previous convictions and/or cautions

Please give details of any "unspent" convictions or cautions (see overleaf)

Date of conviction	Court of conviction	Nature of offence	Sentence
NONE			

BRIGHTON & HOVE CITY COUNCIL

**Statutory declaration sheet for application for ~~grant~~ / renewal / ~~transfer~~ of
Sexual Entertainment Venue licence.**

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name:

Position held

Date of birth

Place of Birth

Permanent address

Address(es) at which
person has been
resident during the
five years preceding
the date of this
application.

AS ABOVE

Details of any relevant previous convictions and/or cautions

Please give details of any "unspent" convictions or cautions (see overleaf)

Date of conviction	Court of conviction	Nature of offence	Sentence
NONE			

Convictions To Be Declared In Respect Of Applications Sex Establishment Licence

If you have been convicted of any of the following offences and they are "unspent" they must be declared on the application form:-

- Sexual Offences
- Offences involving obscenity.
An offence involving the use, possession or supply of any drug.
- An attempt, incitement or conspiracy to commit any of the above offences.

The Rehabilitation of Offenders Act 1974 provides that after a certain period of time, convictions for offences are to be regarded as "spent". Set out below are some examples of when convictions become "spent". Please note it is from the date of **conviction** that the time commences. The periods of time which must elapse in other cases before the conviction becomes "spent" may vary considerably according to the nature of the offence and other circumstances. The rehabilitation period may, for example, be extended by the commission of a further offence during the rehabilitation period.

Further guidance on this may be obtained from the Home Office publication "A Guide to the Rehabilitation of Offenders Act 1974", available for reference at the Licensing Authority or from a solicitor.

Sentence.	Rehabilitation Period.
2½ years (30 months) imprisonment and over whether sentence suspended or not.	Never spent.
Imprisonment or detention in a young offender institution (previously known as youth custody) between six months and 30 months whether sentence was suspended or not.	Ten years.
Imprisonment or detention in a young offender institution (previously known as youth custody) of six months or less whether sentence was suspended or not.	Seven years.
A fine, compensation or community service order.	Five years.
Conditional discharge, bound over or probation order. Also includes fit person, supervision and care orders.	One year or period of probation sentence, whichever is longer.
Absolute discharge.	Six months.
Disqualification, disability or prohibition.	Period of sentence unless a longer period as above (eg, disqualification and a fine 5 Years)
Remand Home/Approved School/Attendance Centre Orders.	One year after Order expires.
Hospital Order under Mental Health Acts.	5 years, or two and a half years after the order expires (whichever is the longer).

FORM OF CERTIFICATE FOR SITE NOTICE

Application for a Sex Establishment Licence under the Local Government (Miscellaneous Provisions) Act, 1982, Part II, Schedule 3

To the Head of Regulatory Services
Brighton & Hove City Council
2nd Floor, Bartholomew House
Brighton
BN1 1JE

I CERTIFY that on the 18th Day of June 2024

I displayed a site notice of which a true copy is attached and ensured that the

notice continued to be displayed on or at the premises at:-

THE PUSSYCAT CLUB, 75 GRAND PARADE, BRIGHTON BN2 9JA

in a prominent position so that it could easily be read by passers-by, and ensured

that the site notice remained in position for at least twenty one days.

Date: 18/6/24 Signed: 

BRIGHTON & HOVE CITY COUNCIL

SITE ADVERTISEMENT

**Application for a Sexual Entertainment Venue Licence made
under the Local Government (Miscellaneous Provisions) Act,
1982, Part II, Schedule 3**

**NOTICE IS HEREBY GIVEN THAT WE
SALTIRE INVESTMENTS LTD**

APPLIED ON: 18.06.2024

TO: Brighton & Hove City Council

in respect of the premises known as: The Pussycat Club

located at: 75 Grand Parade, Brighton

**for a licence to use the premises as a 'Sexual Entertainment
Venue'**

**ANY PERSON wishing to oppose the application should write
to the Head of Regulatory Services, Brighton & Hove City
Council, 2nd Floor, Bartholomew House, Brighton BN1 1JE, by
no later than 09.07.2024**

**Letters in support should also be sent to the Head of
Regulatory Services by that date.**

**Please note that any written representations received in
response to this consultation are likely to be required to be
made available for public inspection in accordance with the
Local Government (Access to Information) Act 1985.**

FORM OF CERTIFICATE FOR NEWSPAPER ADVERTISEMENT

Application for a Sexual Entertainment Venue Licence under the Local Government
(Miscellaneous Provisions) Act, 1982, Part II, Schedule 3


To the Head of Regulatory Services
Brighton & Hove City Council
2nd Floor, Bartholomew House
Brighton
BN1 1JE

I CERTIFY that a press notice of which a true copy is attached was on the

18th Day of June 2024 published for the first

time in the (state newspaper) LATEST NEWS + ONLINE

being a local newspaper circulating in the area which the premises the subject
of my application are situated.

Date: 18/6/24 Signed: 

The applicant for a Sexual Entertainment Licence in respect of premises at

THE PUSSYCAT CLUB
75 GRAND PARADE
BRIGHTON BN2 9JA

Application for Sexual Entertainment Venue Licence under the Local Government (Miscellaneous Provisions) Act, 1982, Part II, Schedule 3

NOTICE IS HEREBY GIVEN THAT WE
SALTIRE INVESTMENTS LTD

APPLIED ON 18.06.2024

TO Brighton & Hove City Council

in respect of the premises known as The Pussycat Club, 75 Grand Parade,
Brighton

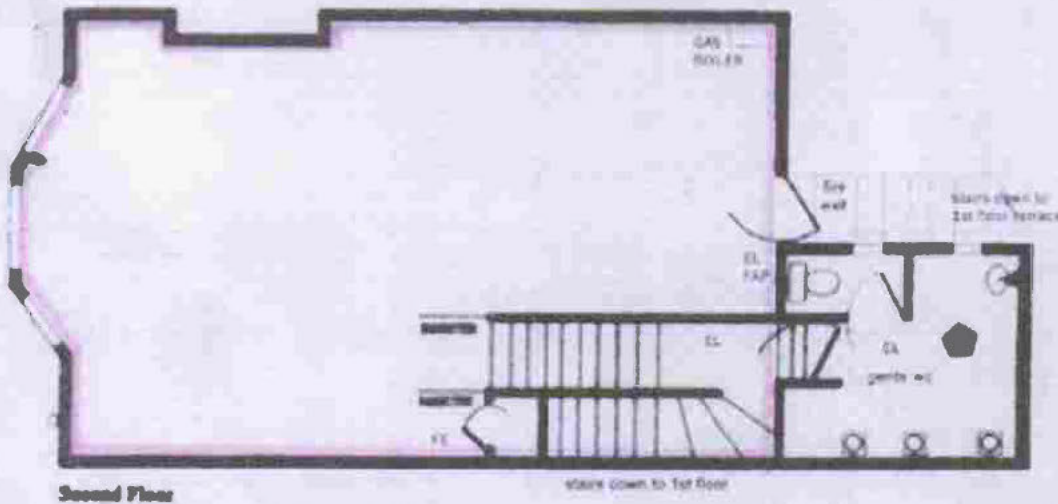
for a licence to use the premises as a 'Sexual Entertainment Venue'

ANY PERSON wishing to oppose the application should write to the Head
of Regulatory Services, Brighton & Hove City Council, 2nd Floor,
Bartholomew House, Brighton BN1 1JE, by no later than 16/7/2024

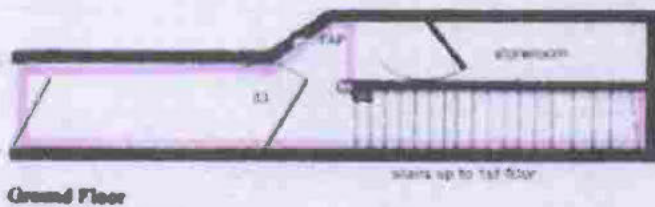
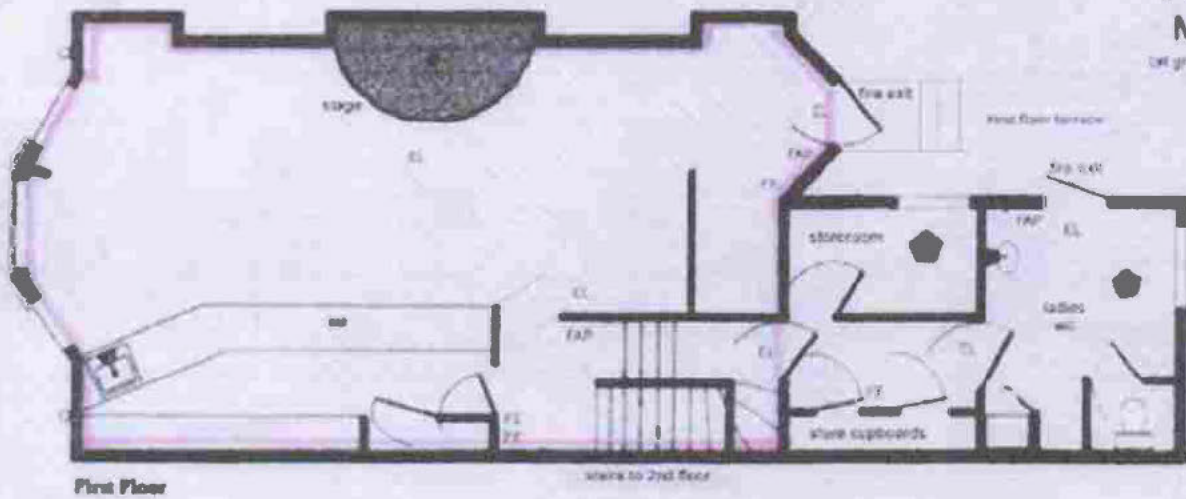
Letters in support should also be sent to the Head of Regulatory Services by
that date.

Please note that any written representations received in response to this
consultation are likely to be required to be made available for public
inspection in accordance with the Local Government (Access to
Information) Act 1985.

FIRST & SECOND FLOORS - 75/76 GRAND PARADE, BRIGHTON
GENERAL FIRE SAFETY PRECAUTIONS



AP
Grand
Parade
Mews
(at ground level)



THE PUSSYCAT CLUB
75 GRAND PARADE
BRIGHTON

AP
Grand
Parade
(at ground level)

Licensed Area

KEY

- EL = Emergency Light
- FE = Fire Extinguisher
- FAP = Fire Alarm Point
- FB = Fire Blanket
- AP = Assembly Point
- = Fire warden to check

18/6/24

To

Return to: Licensing Team, Environmental Health & Licensing, Brighton & Hove City Council, 2nd Floor, Bartholomew House, Brighton, BN1 1JP.

Invoice

Brighton & Hove City Council
Corporate Collection Team (CCT)
Welfare, Revenues & Business Support
1st Floor, Bartholomew House
Bartholomew Square
Brighton
BN1 1JE

VAT Registration No: [REDACTED]

Saltire Investments Ltd (Pussycat Club)
75 Grand Parade
Brighton
BN2 9JA

Date / Tax Point: 22 June 2024

Customer Reference: [REDACTED]

Invoice Number: [REDACTED]

Invoice Value: £3,950.00

Phone: [REDACTED]

e-mail: [REDACTED]

SEV renewal for Pussycat Club 75 Grand Parade Brighton BN2 9JA

VAT Rate	VAT Amount	Net Amount
%	£	£

Sexual Entertainment Venue Licence

0	£0.00	£3,950.00
---	-------	-----------

Total VAT

£0.00

Total Payable

£3,950.00

For Premises Licences only - if payment is not received by the invoice date, the licence will be suspended after 21 days and you will be unable to carry out licensable activities.

Payment of this invoice is due as per the invoice date.

Appendix D

Objection A

Objection to Pussycat strip club, Brighton and Hove 2024



REDACTED

We object to the granting of this license on the grounds outlined below:

Objection on the grounds of unfit Applicant

Granting this license breaches section 2.2 a) and b) of the council's own SEV policy, by virtue of the fact that the applicant is the son of a convicted sex offender and this sex offender co-owns the premises:

*2.2 A licence will **not** normally be granted or renewed in the following circumstances.*

*(a) that the applicant is unsuitable to hold the licence by reason 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 refused the grant or renewal of such a licence if he made the application himself**.*

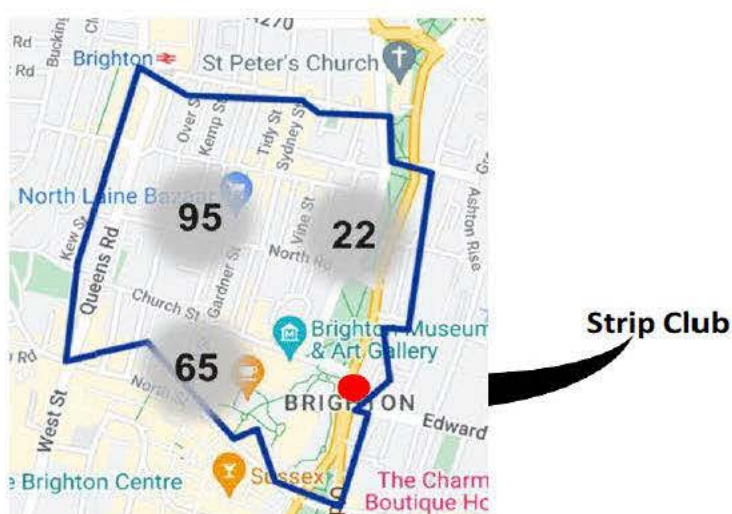
- [Strip club owned by convicted sex offender \(sex buying off a child\)](#)
- [Club owner 'not breaching conditions' when photographed naked in club with lap dancers](#)
- [Student exposes Brighton strip industry](#)

Objection on the grounds of Inappropriate Locality

Club Location:



Map of Crime Hotspots:



Granting this license breaches the council's SEV policy according to its location criteria. The club is in central Brighton – a residential area with high footfall which also serves as a main shopping area. It is practically on University campus, very close to a primary school and churches and in an area of consistent and historical high crime:

4.0 The following policy will apply to all applications for SEVs and will only be overridden in exceptional circumstances.

4.1 Licences for SEVs will **not be granted within family residential areas, family leisure areas or retail areas** where commercial occupiers argue plausibly that SEVs would lower the retail attraction of the area.

- Main shopping streets
- Areas with strong faith communities
- Educational areas
- Areas earmarked for regeneration
- Areas where VisitBrighton and tourism members and officers advise there should be no SEVs
- Areas with history of social difficulties
- Areas with high levels of recorded crime
- a care home which houses vulnerable young people.

The policy explicitly states an SEV will not be licensed 'within sightline' of colleges, public buildings and community facilities – yet it is on the doorstep of Brighton University, Brighton Language college and a library. It is also within sight of public buildings such as The Royal Pavilion, Brighton Museum, the Law Courts, Police Station and Probation service:

4.2 Licences for SEVs will **not be granted** within sightlines of:

- Schools, youth facilities and colleges
- Public buildings and community facilities

The policy states SEV licenses will only be granted in the locations outlined in 4.1 and 4.2 'in exceptional circumstances'. **The council needs to justify what these 'exceptional circumstances'** might be (presumably it is not the fact that it is owned by a convicted sex offender and operated by his son).

Objection on the grounds of unlawful SEV Policy

We further question the legality of the SEV policy, under which the decision to license this SEV is made. How is it justified that 3 clubs are appropriate in the Brighton Leisure Centre locality? Was it 'written around' pre-existing clubs (which would be unlawful)? What equality impact assessment, if any, was carried out?

4.3 Except in exceptional circumstances, a new licence for a SEV will not be granted in the relevant locality if at the time the application is made the number of SEVs in the relevant locality is equal to or exceeds the number which the authority considers appropriate for the relevant locality, as follows:

- | | |
|-----------------------------------|-----|
| • Brighton Leisure Centre | 3 |
| • Hove Commercial Centre | Nil |
| • All other areas within the City | Nil |

We would like to ensure the council is aware that [no council has ever been successfully legally challenged](#) for refusing to license/relicense a strip club (if the decision was made appropriately). The entire purpose of SEV legislation was to make it easy, giving sweeping powers to councils, to refuse to license/relicense SEVs. Why is this concept not being applied by this council?

Objection on the grounds of Breach of Equality Law

We would also challenge the legality of licensing this (or any other SEV alongside your SEV policy) under [equality law](#). There have been 3 successful High Court challenges, to our knowledge, against councils for breaching equality law in their pro-strip industry stance. It is beyond doubt that your council is also in breach of such legislation.

We urge the council to review the following documents to help ensure you make a legally fit decision that is best for local residents, particularly women and girls, as well as wider society:

- [Strip Clubs – large body of evidence demonstrating the multiple harms of the industry](#)
- [Strip Clubs and the Law](#)
- [Strip Clubs & EIAs – Strip Clubs are Incompatible with Equality Law](#)
- [Strip Clubs – Incidences UK-wide](#)

Objection B

From: REDACTED

Sent: Wednesday, July 17, 2024 11:08 AM

To: EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>

Cc: REDACTED REDACTED

Subject: LICENCING PANEL- OBJECTION TO LICENCE RENEWAL FOR PUSSYCAT CLUB
BRIGHTON

To Brighton & Hove licensing panel,

FAO

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

Content warning- explicit images

Who we are

REDACTED, is a vibrant & diverse womens' group. We bring together women who live, work or study in Brighton & Hove and surrounding areas for the purposes of:

- Mutual support and friendship
- Information sharing and analysis of women's diverse experiences
- Discussion of feminist ideas
- Organisation of events and activities for women

We hold monthly spaces where women talk about the issues that impact their lives. We co-ordinate campaigns on the basis of their priorities with the aim to improve the lives of women and girls in Brighton & Hove. We have no religious or political affiliation. We were shortlisted for

the prestigious **REDACTED** Award. We were recently funded by BHCC until the community fund was discontinued following budget cuts.

We are objecting to the application to renew the SEV licence for The Pussy Cat Club.

Our primary reason is because the women who contact us and attend our events frequently tell us that this is a priority for them. That sexual entertainment venues are outdated, encourage the objectification of all women, make our public spaces more hostile and unsafe for the women and girls of our city, are a barrier to women's equality and are out of step with a community that values women and girls. It is part of **REDACTED** aims that we amplify and support the views of women in our city. That we ensure their voices are heard and the impact on them, as members of our community are considered. It is in that spirit that we place this objection.

Our objections fall under three broad categories

1. Numerous breaches of the council's own Sex Establishment Policy 2010.
2. Issues in relation to the Equality Act 2010 and promoting the equality of women and girls.
3. Viewing this application through the lens of reducing harm, specifically reducing violence against women and girls in a city with higher than average rates of domestic violence and sexual assault.

1. Breaches of Brighton and Hove City Council's [Sex Establishment Policy 2010](#).

(i) Section 2. The club's building is owned by a convicted sex offender, Kenneth McGrath. He was convicted of '*paying for the sexual services of a child*'.

<https://www.theargus.co.uk/news/18174212.pussycat-club-brighton-warned-sex-offender-pictured-naked/>

Although McGrath is not allowed in the club during licensable hours, only last year photographs emerged of him in the club with naked dancers. Although it could not be proved that this was during licensable hours, we do not think that it is realistic that a convicted sex offender should be trusted to respect this rule or be honest in this situation. This places staff in direct danger.

When McGrath was jailed, an NSPCC spokesperson said:

“McGrath has been shown to be a manipulative and calculating individual who exploited a vulnerable child for his own sexual gratification.”

It is concerning that BHCC, when faced with inconclusive evidence, chose to take the word of a convicted sex offender, who held a position of power over those he was photographed with. BHCC said:

“The evidence we have received to date is inconclusive and does not prove Kenneth McGrath was at the club when it was operating publicly and licensable activities were taking place.”

This is not only out of step with, but completely antithetical to the Council’s ambitions to get White Ribbon accreditation.

Moreover, as the owner of the building, McGrath the sex offender will be directly benefiting from the SEV licence. In light of his offending & the NSPCC comment on his case we do not feel confident that removing himself as a Director at companies house means that he is not benefiting directly from this SEV.

(ii) Section 2. The SEV, and building premises is registered at Companies House with a family member of Kenneth McGrath, a convicted sex offender.

(iii) Section 3. The club is in an area of high crime, Pavilion Gardens is recorded as sexual-offences “hot-spot”. It is directly next door to the Pussy Cat Club, in direct line of sight of the SEV.

Crime in the locality includes a string of reported rapes not limited to but including the following:

[April 2024](#)

[Feb 2023 Gang rape](#)

[June 2019](#)

We would like licensing to consider that the majority of rapes and sexual assaults, incidents of flashing do not get reported. We do not think that incidents of sexual harassment, assault and rape are limited to these three incidents.

The council is considering taking extreme steps such as [building a 7ft fence](#) around the historic gardens and restricting the valuable community space to tackle this crime, it is time they

considered closing this SEV that is within sightline of the location of so many sexual assaults and rapes.

(iv) B&H SEV Policy 3.1b must not be in an area of historic importance. It is adjacent to and within metres of Brighton Pavillion, The Dome & Pavilion Gardens (Grade 2 listed gardens). All listed buildings of national importance. Other things of historical importance include the Queen Victoria statue, Prince Regent Statue, The India Gate Memorial.

(v) B&H SEV Policy 4.1 Licences for SEVs will not be granted within family residential areas. There has been considerable development of residential properties in that area reaching north to Morley St and east to Blaker St. Although we are unclear what defines a ‘family residential area’, in Brighton there are many families esp single-parent families living in smaller units in central Brighton.

(vi) B&H SEV Policy 4.1 Licences for SEVs will not be granted within family leisure areas. There is no doubt that the green space of Victoria Gardens, the Victoria Gardens fountain (recently refurbished), the Pavillion, Pavilion Gardens, The Brighton Dome, The North Laines shopping district are family leisure areas. The Pavillion just won a [trip advisor award](#), attracts over 160k visitors annually, many of them families and many of them school trips.

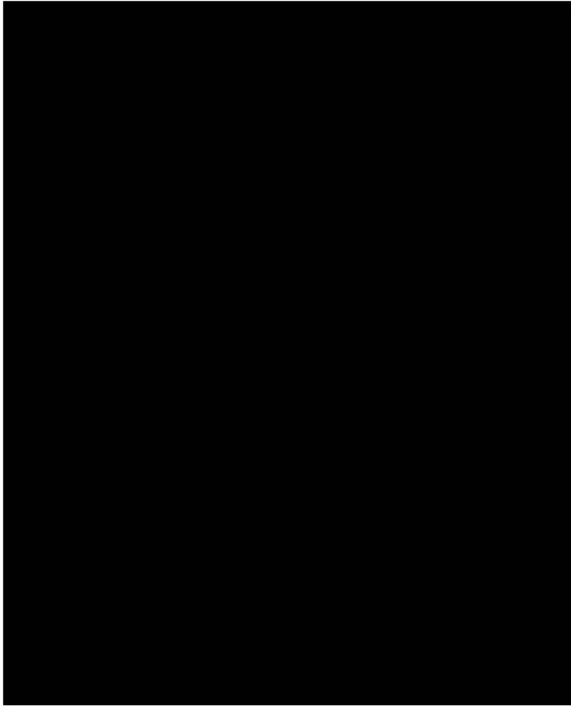
BHCC’s own website lists Victoria Gardens as an important municipal space.

(vii) B&H SEV Policy 4.1 Licences for SEVs will not be granted in educational areas. The Brighton & Hove Museum and Art Gallery is an educational area, in close proximity. Brighton and Hove have a large home ed community and the Museum and Art Gallery is a fantastic resource and hub for child learning in our city.

(viii) B&H SEV Policy 4.1 Licences for SEVs will not be granted in areas marked for regeneration. Valley gardens has been recently regenerated which raises questions if the previous licence application was scrutinised adequately. Valley gardens has been an expensive and successful regeneration which has dramatically changed the nature of the area (see section 4.4).. The Pussy Cat Club is not well kept, looks seedy and unsafe from the exterior and detracts significantly from the regeneration. We have been told that women, especially women with children do not feel safe in the vicinity and cross the road to avoid using the pavement outside of the club. This is diametrically opposed to the aims of the area’s regeneration.

(ix) Breaks prescribed conditions 6-9

There are [REDACTED] referring to ‘full service’ which is a well known term amongst men who ‘buy sex’ as sexual intercourse. This is unchallenged by the SEV and would be read by other sex-buyers as being able to ‘buy sex’. It is our position as feminists and as women in Brighton, that sexual consent can not be purchased. The widely accepted definition of sexual consent is FRIES: Freely given, Reversible, Informed, Enthusiastic and Specific. It is reasonable that our Council should also hold this position and at a minimum hold up its own SEV policies.



(x) Breaks prescribed conditions 10, 15, 16, 17 & 18

Content warning

The following links/pictures are only some of the public facing material which breaks the SEV policy- they include sexual contact between dancers, dancers' personal contact details, breaks ASA regulations re nudity, and includes images on the SEV social media of women in bedrooms.

We will add to this that we believe the BHCC SEV Policy is inadequate as does not address social media activity or acknowledge that this is frequently a medium for purchasing sex, with a high probability that this leads directly to the exploitation of trafficked women. We are uncomfortable giving links to the following, but feel it is important to do so in relation to this objection. There are many more examples. We do not seek to shame or out the women who we have included, but this is all public facing content.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

REDACTED PHOTO
REDACTED PHOTO

2. Equality Act 2010- [Public Sector Equality Duty](#)

(i) The PSED states councils must ‘take due regard’ to:

“Seek to eliminate harassment, victimisation and discrimination’ of women/girls, advance equal opportunities between people who have a protected characteristic and those who do not, foster good relations between people who have a protected characteristic and those who do not.”

The PSD applies to

- Women working in strip clubs
- Women in the vicinity of strip clubs
- Women and girls in wider society (wider social attitudes)
- Councils must consider equality law even in wider society
- Councils cannot dismiss harm-based concerns as ‘moralistic’

(ii) Many women feel, and often are, unsafe in the vicinity of strip clubs – even to the point of not using the surrounding area – a self-imposed ‘curfew’. This is anti-equalities and cannot be prevented. There is a lot of research which confirms that in areas where there are SEVs, women and girls feel and are less safe.

www.researchgate.net/publication/345352947_Exploring_the_relationship_between_strip_clubs_and_rates_of_sexual_violence_and_violent_crime

(iii) A new report has been released to highlight the harm caused by Sexual Entertainment Venues (SEVs) to women as a group

The [50 page report](#) was produced by Safe and Equal Bristol – an umbrella group of Bristol-based stakeholders and professionals in the field of gender equality and sexual and gender-based violence – who want Bristol to be a fair and equal city that does not tolerate violence against women and girls.

(iv) Their recruitment material is exploitative and even explicitly states they are looking for single-mums, an acknowledgement that many working are doing so as they are in financially vulnerable situations. This advert also fails to comply to the Equality Act.



3. Reducing violence against women and girls

(i) Brighton Council is seeking White Ribbon accreditation.

<https://democracy.brighton-hove.gov.uk/documents/s171409/White%20Ribbon%20UK%20Accreditation.pdf>

To achieve this our council needs to:

Appendix 1.2

'Changing Culture: work towards a zero-tolerance policy on Sexual Entertainment Venues'

Creating a safe working space for female employees and the people we deliver services to (SEVs are not safe work places)

Influencing colleagues and partners to consider how violence against women and girls impacts inequality in the workplace

Drive social change to strengthen gender equality and stop violence against women Improve organisational culture, safety, and morale Increase staff knowledge and skills to address violence against women

Therefore approving this licence is in direct contradiction with our council's stated objective to obtain White Ribbon Status.

These aims are directly undermined by licensing nude-dancing SEVs. There is no shortage of testimonies, especially post #MeToo of women selling sex that their periods working in such venues included sexual assault, harassment, stalking, economic exploitation, physical violence, verbal abuse and so forth.

SEVs are only one face of the sex industry in Brighton, which is linked with human trafficking, modern day slavery, rape/forced prostitution. The UN states that sex trafficking is one of the fastest growing crimes.

<https://www.brightonandhovenews.org/2023/10/16/sex-trafficker-jailed-after-arrest-in-brighton/>

(ii) Brighton and Hove have higher rates of sexual violence and domestic violence than the national average. In this context we ask Brighton and Hove Council to consider that our whole city is viewed as a crime hot-spot in relation to violence against women and girls. Sussex Police VAWG strategy 3.1 states “Sussex Police recognises its pivotal role in preventing harm and sees the tackling of ‘Violence Against Women and Girls’ (VAWG) offences as an absolute priority”. In the absence of Brighton and Hove’s VAWG strategy we ask licencing to support them in this objective.

(iii) It is well documented than men who pay for sex/sexual entertainment, who use pornography are more likely to believe rape myths, more likely to commit sexual assault and more likely to hold misogynistic attitudes towards women. It is time Brighton modernised and prioritise the safety of women and girls.

We would welcome the opportunity to provide more information and supporting evidence. We are unaware if the police are raising objections to the licence renewal, but we would like to point out that many survivors in Brighton have lost faith in Sussex Police’s ability to protect women from exploitation and assault. For example they are currently referred to the IPCC for failing to record crimes, including crimes relating to violence against women and girls.

<https://www.bbc.co.uk/news/uk-england-sussex-65254754>

B&H prides itself on being a city that stands against all forms of violence and abuse against women and girls. It would be good to see the Licensing Committee joining the dots and enabling women and girls in the city to believe that the Council takes their safety and well being seriously.

In appreciation of your time,

REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED.

On behalf of women across Brighton who attend REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

A spokeswoman said: "Sussex Police are failing to protect women and failing to send a clear message to men that sexual crimes will not be tolerated in Brighton."

"Naming men who have been charged is a basic step in facilitating other potential victims to come forward, helps secure convictions of violent offenders and demonstrates to perpetrators that they will not be sheltered by Sussex Police."

Appendix D - Sixteen Brief Objections Emails – (A) to (P)

(A)

I object to the re'licensing of this strip club on the following grounds.

This breaches council policy on numerous counts:

- Section 2 of policy – Unfit Owner : Owned by convicted sex offender
- (who the Council deemed did not breach conditions when later photographed naked with lap dancers at the club)
- Section 2 – Unfit Applicant: Club run by sex offender's son
- Section 4 – In a totally 'unfit' location (practically on university campus, near schools and churches, in a main shopping and residential area, by places of historical interest *and* in an area of high crime).

Thank you

(B)

I cannot believe that in these troubled times a council is considering re licensing this premises. It is beyond insulting to every woman and child that this is contributing to the culture of the area. A few female jobs lost if it's not relicensed but peace of mind and an acknowledgement that this is unacceptable in 2024 for so many more.

Owned by an sex offender and run by his son says it all. Please do not relicense these premises.

Thank you

(C)

Dear Brighton licencing committee,

I work as a doctor with victims of trafficking for "sex work". I see the terrible impact of women working in places that objectify them as objects.

I am writing to strongly object to the licensing of "Pussycat SEV" on the following grounds;

The application breaches council policy on numerous counts:

- Section 2 of policy – Unfit Owner : Owned by convicted sex offender
- (who the Council deemed did not breach conditions when later photographed naked with lap dancers at the club)
- Section 2 – Unfit Applicant: Club run by sex offender's son
- Section 4 – In a totally 'unfit' location (practically on university campus, near schools and churches, in a main shopping and residential area, by places of historical interest *and* in an area of high crime).

I urge you to reject this application.

Yours sincerely,

(D)

Stop licensing a SEX OFFENDER'S strip joint, the Pussycat Club.

This breaches council policy on numerous counts:

- Section 2 of policy – Unfit Owner : Owned by convicted sex offender
- (who the Council deemed did not breach conditions when later photographed naked with lap dancers at the club)
- Section 2 – Unfit Applicant: Club run by sex offender's son
- Section 4 – In a totally 'unfit' location (practically on university campus, near schools and churches, in a main shopping and residential area, by places of historical interest *and* in an area of high crime).

But mainly, at a time when there is a male epidemic of violence against women it sends messages to young women and girls in the community, that they are objects to be bought, consumed and commodified. Women's bodies are not for sale.

Best wishes,

(E)

Hi there

I visit Brighton regularly with my two young sons. It's a wonderful place, and so I find it beyond heartbreaking that you are considering relicensing this venue owned by a convicted sex offender, in such a busy built up area, especially in the post metoo era when people have surely had their eyes opened to the horrors of the sex trade.

I'm not a prude, but the left, (and I consider myself leftwing), have got this so wrong. When a woman is nude she is vulnerable and especially vulnerable on her own with a man who has been drinking. Yes she may have applied for the job, but no matter how liberal you are, what young girl aspires to grow up to take her clothes off and be leered at by men? You need to be pretty desperate or naive. Something has gone wrong somewhere along the line.

Would you be comfortable with your daughter/sister/mum doing this job? And if not, why is it then okay for a certain section of society? Would message does it give out to the young men of Brighton? Stripping can be a slippery slope into the painful world of prostitution, a total loss of self-respect.

I really hope you can help your town move forward. Rather than following in the footsteps of Holbeck in Leeds, and trying to managing something that is vile at the core.

Thanks for reading

(F)

Please decline the licensing and keep women and children safe

(G)

Dear licensing team

I wish to request that this application is refused:

The area is utterly unsuitable, being close to schools, places of worship, etc.

The owner - a convicted sex offender - is an unfit owner.

Regards,

(H)

Please do not re-license the Pussy Cat Strip Joint. I am moving to Brighton from Swansea, a city where the council has decided that for the sake of the community and especially women there are no licenses given to strip clubs. The city is a hub for nightlife and a renowned party destination which is not blighted by this kind of trade.

I am dismayed that I will be moving to an area which does not regard the right of women to not have to live near such places. I lived in East London near such a club and suffered harassment every time I had to walk in the vicinity at night.

Kind Regards

(I)

This is so wrong. I have friends who live near there and would not want this on their doorstep.

(J)

We do not want or need a strip club in Brighton.

What an example to set to our younger population the women are there to be ogled at as sexual objects. Women often forced into work like this as there isn't other ways of getting money for them. How are we teaching respect?

Club run by the son of a sex offender speaks volumes about the type of person he must be. Would he put his wife or daughter there, I guess not.

Women are fighting for equality in all aspects of our lives and to see yet another strip club trying to open is sending out the wrong message about women.

(K)

I object to these premises being granted a license.

(L)

Dear Sir/Madam,

As a former resident of Brighton, Kemptown and Hove I urge you to end the licensing of strip clubs.

While women 'consent' to work in these venues they do in a situation of constraint namely a lack of alternative sources of income. There is a strong documented correlation between strip joints and sexual harassment/violence against workers, sex trafficking, organised crime, and sexual harassment of female residents in the surrounding area.

Yours faithfully,

(M)

I object strongly to re-licensing of the above Strip Joint.

This breaches council policy on numerous counts:

- Section 2 of policy – Unfit Owner : Owned by convicted sex offender
- (who the Council deemed did not breach conditions when later photographed naked with lap dancers at the club)
- Section 2 – Unfit Applicant: Club run by sex offender's son
- Section 4 – In a totally 'unfit' location (practically on university campus, near schools and churches, in a main shopping and residential area, by places of historical interest *and* in an area of high crime).

Yours faithfully

(N)

I object strongly to re-licensing of the above Strip Joint.

This breaches council policy on numerous counts:

Section 2 of policy – Unfit Owner : Owned by convicted sex offender

(who the Council deemed did not breach conditions when later photographed naked with lap dancers at the club)

Section 2 – Unfit Applicant: Club run by sex offender's son

Section 4 – In a totally 'unfit' location (practically on university campus, near schools and churches, in a main shopping and residential area, by places of historical interest and in an area of high crime).

Yours faithfully

(O)

Dear Council,

Please do not renew the license for Pussycat Strip Joint. It's not fair for the women who are stripping or the public nearby.

(P)

Categorically unsuitable for Brighton and places Council in breach of its Equality duty towards women and the fostering of equality and respect between the sexes.

PLEASE SEE WEALTH OF EVIDENCE OF HARM OF STRIP CLUBS AND SIMILAR INCLUDING INCREASED LIKELIHOOD OF SEXUAL VIOLENCE AGAINST WOMEN, THE REDUCTION OF WHICH I ASSUME IS A PRIORITY FOR THE COUNCIL IN ALL ITS ENDEAVOURS.

General Equality Impact Assessment (EIA) Form

Support:

An [EIA toolkit](#), [workshop content](#), and guidance for completing an [Equality Impact Assessment \(EIA\) form](#) are available on the [EIA page](#) of the [EDI Internal Hub](#). Please read these before completing this form.

For enquiries and further support if the toolkit and guidance do not answer your questions, contact your Equality, Diversity, and Inclusion (EDI) Business Partner as follows:

- Economy, Environment and Culture (EEC) – [Chris Brown](#),
- Families, Children, and Learning (FCL) – [Jamarl Billy](#),
- Governance, People, and Resources (GPR) – [Eric Page](#).
- Health and Adult Social Care (HASC) – [Zofia Danin](#),
- Housing, Neighbourhoods, and Communities (HNC) – [Jamarl Billy](#)

Processing Time:

- EIAs can take up to 10 business days to approve after a completed EIA of a good standard is submitted to the EDI Business Partner. This is not considering unknown and unplanned impacts of capacity, resource constraints, and work pressures on the EDI team at the time your EIA is submitted.
- If your request is urgent, we can explore support exceptionally on request.
- We encourage improved planning and thinking around EIAs to avoid urgent turnarounds as these make EIAs riskier, limiting, and blind spots may remain unaddressed for the 'activity' you are assessing.

Process:

- Once fully completed, submit your EIA to your EDI Business Partner, copying in your Head of Service, Business Improvement Manager (if one exists in your directorate), Equalities inbox, and any other relevant service colleagues to enable EIA communication, tracking and saving.
- When your EIA is reviewed, discussed, and then approved, the EDI Business Partner will assign a reference to it and send the approved EIA form back to you with the EDI Manager or Head of Communities, Equality, and Third Sector (CETS) Service's approval as appropriate.
- Only approved EIAs are to be attached to Committee reports. Unapproved EIAs are invalid.

1. Assessment details

Throughout this form, 'activity' is used to refer to many different types of proposals being assessed.

Read the [EIA toolkit](#) for more information.

Name of activity or proposal being assessed:	Renewal of Sexual Entertainment Venue (SEV) Licence for the Pussycat Club, Grand Parade, Brighton
Directorate:	City Services
Service:	Regulatory Services
Team:	Licensing

Is this a new or existing activity?	Existing (a renewal application of a Sexual Entertainment Venue under the Local Government (Miscellaneous Provisions) Act 1982).
Are there related EIAs that could help inform this EIA? Yes or No (If Yes, please use this to inform this assessment)	No

2. Contributors to the assessment (Name and Job title)

Responsible Lead Officer:	Emily Fountain, Licensing Officer
Accountable Manager:	Sarah Cornell, Senior Licensing Officer
Additional stakeholders collaborating or contributing to this assessment:	Rebecca Sidell, Lawyer Housing & Litigation Alex Evans, Team Leader Specialist, Licensing City Services

3. About the activity

Briefly describe the purpose of the activity being assessed:

The activity being assessed is for the consideration and determination of a renewal application of an existing sexual entertainment venue (SEV) licence under the Local Government (Miscellaneous Provisions) Act 1982.

Sex establishments are defined and regulated by Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the Act') as amended by the Policing and Crime Act 2009. Brighton & Hove City Council adopted the amended provisions of Schedule 3 of the Act on the 15th of July 2010.

A "sexual entertainment venue" is any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer. "Relevant entertainment" means: -

- (a) any live performance; or
- (b) any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means). This covers the following forms of entertainment (though this is not a comprehensive list): Lap dancing; Pole dancing; Table dancing; Strip shows; Peep shows; Live sex shows. There is an exemption for premises which provide such entertainment less frequently than once a month.

Parliament has made it lawful to operate a sex establishment. Such businesses are a legitimate part of the retail and leisure industries. It is the City Council's role to administer the licensing regime in accordance with the law. Paragraph 12 of Sch 3 of the 1982 Act sets out the grounds upon which a licence may be refused. A licence application may be refused where:

- (a) The applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reasons;
- (b) If the licence were to be granted, renewed or transferred 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 refused the grant, renewal or transfer of such a licence if he made the application himself;
- (c) The number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the Council considers is appropriate for that locality (nil may be an appropriate number for these purposes);

- (d) The grant or renewal of the licence would be inappropriate, having regard to (i) the character of the relevant locality; and/or (ii) the use to which any premises in the vicinity are put; and/or (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

The original SEV licence for this premises was applied for and granted in 2011 after new legislation was brought in by the Government to licence SEV's. No objections were received at this time, so the application was granted. The premises renewed the SEV on a yearly basis without issue until 2017 when the Police objected to the suitability of the licence holder, a panel hearing was arranged following the objection. Following consultation with the premises management, the Police withdrew their objection after a condition was agreed to be added to the licence and the panel hearing was withdrawn. The licence was subsequently renewed with the added agreed condition.

The premises failed to renew the SEV licence in 2020 and it therefore expired. A new SEV licence was applied for in 2021, no objections were received, and the licence was granted without the Police condition. The licence has been renewed yearly since then until the most recent renewal application where objections were received.

Section 149 of the Equality Act 2010 Public Sector Equality Duty (PSED) imposes a statutory duty on the City Council, in the exercise of its functions, to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The determination of applications for a sex establishment licence is a function of the council therefore the City Council must have due regard to the PSED. It is acknowledged that the PSED must be "exercised in substance, with rigour and with an open mind" by the decision-maker personally and may not be delegated (see the summary in *R (Bracking & Ors) v Secretary of State for Work & Pensions* [2013] EWCJ Civ 1345 at [73]).

The PSED is not "a duty to achieve results" but a duty "to have due regard to the need to achieve the goals identified in parts (a) to (c) of s 149(1) (see *Hotak v Southwark LBC* [2015] @ WLR 1341 at para [74]).

Sex equality-based concerns are relevant considerations to the due regard of the PSED in the context of an application for a sex establishment licence under the 1982 Act (see *R on the application of CDE v Bournemouth, Christchurch & Poole Council* [2023] EWHC 194 (Admin)).

There is a Sex Establishment Policy that applies to all applications for sex establishment licences. Under this policy the City Council recognises that it has a duty to promote equality, consider crime and disorder and ensure fair and rational determination of applications. In certain circumstances due regard may be addressed using appropriate conditions, enforcement and policies by the Council.

The purpose of this EIA is to provide a sense of the wider context and information for the decision makers regarding this renewal application, to exercise the PSED. It is worth noting that Brighton has a wide and varied nightlife. The City's nightlife is diverse which includes adult themed and sexualised aspects. It also supports and celebrates the whole spectrum of sex, gender and sexualities.

What are the desired outcomes of the activity?

The licence renewal process provides an opportunity to have due regard to the PSED in the exercise of function relating to the Sex Establishment regime under the 1982 Act.

Which key groups of people do you think are likely to be affected by the activity?

Primarily staff, performers, customers, those that live and work in the locality of the premises and also wider society of residents and visitors to Brighton & Hove.

4. Consultation and engagement

What consultations or engagement activities have already happened that you can use to inform this assessment?

- For example, relevant stakeholders, groups, people from within the council and externally consulted and engaged on this assessment. **If no consultation** has been done or it is not enough or in process – state this and describe your plans to address any gaps.

All applications for initial licensing and renewal of Sexual Entertainment Venue licences are determined by the Local Authority having regard to any police observations if provided. No objections have been received from Sussex Police relating to the renewal of this licence.

In addition, the applicant is required to advertise the application in the local newspaper and display a public notice on the premises to be visible to the public for a period of 28 days. The notice provides Licensing Authority contact details for people to comment on the application.

A total of 18 objections were received. 2 objections were particularised. A summary of the main concerns are:-

Numerous breaches of the council's own Sex Establishment Policy 2010:

- Section 4 – In an 'unfit' location (practically on university campus, near schools and churches, in a main shopping and residential area, by places of historical interest and in an area of high crime). The policy states SEV licenses will only be granted in the locations outlined in 4.1 and 4.2 'in exceptional circumstances.' The council needs to justify what these 'exceptional circumstances'
- Concerns about vulnerable young girls and women and equality.
- Viewing this application through the lens of reducing harm, specifically reducing violence against women and girls in a city with higher than average rates of domestic violence and sexual assault.

This EIA has been completed as a result of objections received and in order to assist the decision makers to assess the equalities impact and apply the PSED.

5. Current data and impact monitoring

Do you currently collect and analyse the following data to enable monitoring of the impact of this activity?
 Consider all possible intersections.

(State Yes, No, Not Applicable as appropriate)

Age	NO
Disability and inclusive adjustments, coverage under equality act and not	NO
Ethnicity, 'Race', ethnic heritage (including Gypsy, Roma, Travellers)	NO
Religion, Belief, Spirituality, Faith, or Atheism	NO
Gender, Identity and Sex	NO
Gender Reassignment	NO
Sexual Orientation	NO
Marriage and Civil Partnership	NO
Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum)	NO
Armed Forces Personnel, their families, and Veterans	NO
Expatriates, Migrants, Asylum Seekers, and Refugees	NO
Carers	NO
Looked after children, Care Leavers, Care and fostering experienced people	NO
Domestic and/or Sexual Abuse and Violence Survivors, and people in vulnerable situations (All aspects and intersections)	NO
Socio-economic Disadvantage	NO
Homelessness and associated risk and vulnerability	NO
Human Rights	NO
Another relevant group (please specify here and add additional rows as needed)	NO

Additional relevant groups that may be widely disadvantaged and have intersecting experiences that create exclusion and systemic barriers may include:

- Ex-offenders and people with unrelated convictions
- Lone parents
- People experiencing homelessness
- People facing literacy, numeracy and /or digital barriers
- People on a low income and people living in the most deprived areas
- People who have experienced female genital mutilation (FGM)
- People who have experienced human trafficking or modern slavery
- People with experience of or living with addiction and/ or a substance use disorder (SUD)
- Sex workers

If you answered “NO” to any of the above, how will you gather this data to enable improved monitoring of impact for this activity?

SEV licences are subject to an annual review. The PSED is engaged as part of that review. The impact of SEVs is monitored through the Development and Review of Policy, Inspections & Enforcement, Consultation with the Police through Policy and application procedure (including renewals) and engagement with civil society.

There are other Council policies and strategies with a wider remit that address those with protected characteristics such as; Women’s Safety, safeguarding, age protection, sexual health, ethnicity & race etc.). Further information regarding these policies and strategies can be found via the following links:

[New strategic direction for tackling violence against women and girls, domestic abuse and sexual violence](#)

[Brighton & Hove City Council plan 2023 to 2027; Outcome 2: A fair and inclusive city](#)

[Equality](#)

[Age and Dementia Friendly Brighton & Hove](#)

What are the arrangements you and your service have for monitoring, and reviewing the impact of this activity?

If this licence is renewed then we will monitor any feedback from staff, performers, customers, the police, regulatory officers of the council and City residents.

An annual inspection is carried out to check compliance with the licence terms and conditions; these include that no under 18-year-olds will be admitted to the premises. We have included the standard conditions relating to an SEV licence which can be found [via the following link in our Sex Establishment Policy](#) and relevant conditions regarding equalities considerations can be found from page 15 of the policy, under numbers: 1, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.

Risks could be mitigated by asking operators of premises to safeguard employees, vulnerable customers, and members of the general public that could be impacted by these establishments. To minimise risks to health the following should be in place; welfare policies, specific training, support services, lead safeguarding officer and in the case of SEV’s consideration of having a trained occupational health first aider. SEV’s in particular, could be asked on application for the following documentation to ensure these risks are reduced: Codes of Practice for performers, Rules for Customers, Policy of the Welfare of Performers (and to detail how the applicants would monitor and enforce compliance of these rules set).

6. Impacts

Advisory Note:

- **Impact:**
 - Assessing disproportionate impact means understanding potential negative impact (that may cause direct or indirect discrimination) and then assessing the relevance (that is: the potential effect of your activity on people with protected characteristics) and proportionality (that is: how strong the effect is).
 - These impacts should be identified in the EIA and then re-visited regularly as you review the EIA every 12 to 18 months as applicable to the duration of your activity.
- **[SMART Actions](#) mean:** Actions that are (SMART = Specific, Measurable, Achievable, Realistic, T = Time-bound)
- **[Cumulative Assessment:](#)** [If there is impact on all groups equally, complete **only** the cumulative assessment section.](#)
- **Data analysis and Insights:**

- In each protected characteristic or group, in answer to the question ‘If “YES”, what are the positive and negative disproportionate impacts?,’ describe what you have learnt from your data analysis about disproportionate impacts, stating relevant insights and data sources.
- Find and use contextual and wide ranges of data analysis (including community feedback) to describe what the disproportionate positive and negative impacts are on different, and intersecting populations impacted by your activity, especially considering for [Health inequalities](#), review guidance and inter-related impacts, and the impact of various identities.
- For example: If you are doing road works or closures in a particular street or ward – look at a variety of data and do so from various protected characteristic lenses. Understand and analyse what that means for your project and its impact on different types of people, residents, family types and so on. State your understanding of impact in both effect of impact and strength of that effect on those impacted.
- **Data Sources:**
 - **Consider a wide range (including but not limited to):**
 - [Census](#) and [local intelligence data](#)
 - Service specific data
 - Community consultations
 - Insights from customer feedback including complaints and survey results
 - Lived experiences and qualitative data
 - [Joint Strategic Needs Assessment \(JSNA\) data](#)
 - [Health Inequalities data](#)
 - Good practice research
 - National data and reports relevant to the service
 - Workforce, leaver, and recruitment data, surveys, insights
 - Feedback from internal ‘staff as residents’ consultations
 - Insights, gaps, and data analyses on intersectionality, accessibility, sustainability requirements, and impacts.
 - Insights, gaps, and data analyses on ‘who’ the most intersectionally marginalised and excluded under-represented people and communities are in the context of this EIA.
- Learn more about the [Equality Act 2010](#) and about our [Public Sector Equality Duty](#).

6.1 Age

<p>Does your analysis indicate a disproportionate impact relating to any particular Age group? For example: those under 16, young adults, with other intersections.</p>	<p>No</p> <p>We have the following observations:</p>
--	--

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

<p>Brighton & Hove has a younger age structure than England:</p> <p>20.5% of people are aged under 20 (23%) 65.5% aged 20-64 (58%) 14.1% aged 65+ (18%)</p> <p>This data has been taken from the 2021 Census which details; Brighton & Hove protected characteristics and other groups.</p> <p>Census 2021 population groups: Brighton & Hove by Brighton and Hove City Council - Infogram</p>
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Note: Summaries with more detail for each group are part of the City Needs Assessment programme for 2023/24

There were no objections received from universities, schools or places of worship.

Staff (including Performers)

There may be a risk of negative age impacts associated with sex establishments particularly in relation to young adults.

Should the authority receive evidence of issues associated with a person's age in licensed venues, a full investigation will be carried out and may result in enforcement action being taken. There have been no complaints to the Local Authority in relation to age.

Young people and students

In addition, in 2019 a National Student Money Survey by Save the Student indicated that 4% of around 3,000 student respondents have done some kind of adult work due to financial hardship. Note, these statistics refer to adult work as a whole and give examples that include selling intimate photos, webcamming, phone dating and nude modelling. The example of working in a sex establishment (SEV) is not referred to. (<https://www.savethestudent.org/money/student-money-survey-2019.html>)

This survey was updated in 2021 which shows 9% of students would carry out 'sex work' to obtain extra money. The survey indicated that 3% of the respondents did carry out sex work and out of those, 4% of the respondents used lap dancing as a form to obtain extra money.

(<https://www.savethestudent.org/money/surveys/student-money-survey-2021-results.html#sexwork>)

The 2023 survey details that this has increased from 4% to 7%.

(<https://www.savethestudent.org/money/surveys/student-money-survey-2023-results.html#sexwork>)

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

It is to be noted that it is not an offence for a student over the age of 18 to be employed in a licensed sex establishment.

Underage workers

The above findings highlight a risk that people younger than 18 may be attracted to working at sex establishments. However, the Licensing Authority carry out inspections of licensed establishments and has not received any complaints regarding under 18's accessing any premises and has not received any information from Sussex Police or the Sussex Safeguarding Adult Board or any other such organisation informing complaints or issues in relation to workers under the age of 18. There are conditions within our policy which state that all dancers / performers will be aged over 18 years of age.

Impact of premises on persons under 18

The external appearance of sex establishments has the potential to impact those under 18 negatively. There are several factors which reduce the risk of this impact which are outlined in the action plan below under the heading 'age'. In brief, there are conditions and restrictions on what the appearance of sex establishments will look like from the outside. See condition 3 [from page 15 in the following policy link](#).

There are also policy considerations in relation to the locations of premises applied for around any sensitive locations. See point 4.1 in the Policy at the above link.

Persons under 18 accessing licensed premises

Entry into sex establishments is only permitted to people aged 18 years or over. Premises that are licensed as a sexual entertainment venue are also likely to be licensed under the Licensing Act 2003; this separate piece of legislation provides various requirements in protecting children from harm.

Licence conditions attached to licences provide further safeguarding measures for both customers and employees; a 'Challenge 25 scheme' is part of the conditions and must provide proof of ID before entering. Employees under the age of 18 are not permitted to work in the premises and conditions detail anyone 18+ years of age must provide various forms of identification which must be verified by the licensee.

The policy document also details 'location' factors when determining applications and the Licensing Authority will have regard to areas and premises which are sensitive because they are frequented by children, young persons or families. Within the locality of the premises (half a mile radius), there are three Primary Schools, but these are not within direct sight of the premises. There are three language schools, two of which are within 120yds of the premises.

There is a University Campus nearby on the same road. There is the Royal Pavilion opposite which would be considered a public building with community facilities, also the Brighton Dome is 150yds away.

It does, however, remain a risk, as with any age restricted licensed premises; the operators are asked to have sufficient management controls and policies in place.

Young people and students (over 18)

There is no legislative restriction to over 18's accessing sex establishments and operators are required to ensure adequate safeguarding controls are in place for both staff, performers and customers.

6.2 Disability:

Does your analysis indicate a disproportionate impact relating to [Disability](#), considering our [anticipatory duty](#)?

No

We have the following observations:

If "YES", what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

Premises should seek to promote accessibility and inclusion.

Licensed premises should make reasonable adjustments for workers and customers.

There should be no barrier to performers in SEV premises in respect of disability.

From the 2021 Census: Nearly one in five residents (18.7%, 51,797 people) are disabled (17%).

[Census 2021 population groups: Brighton & Hove by Brighton and Hove City Council - Infogram](#)

Staff and customers

There is a potential negative impact on disabled people if a premises does not meet the statutory standards as set out in the Equality Act 2010 in relation to reasonable adjustments and discrimination. Disability encompasses a wide range of factors as set out in the Equality Act 2010 definitions. Should the authority receive evidence of issues in licensed venues, a full investigation will be carried out and may result in enforcement action being taken.

Considerations include physical accessibility of venue, potential vulnerabilities of staff in terms of mental health, inclusive and non-discriminatory employment practices and support for disabled employees. It could be deemed that there are physical barriers to access of the premises as there is a narrow doorway, narrow staircase, no lift, two floors and narrow corridors. As with any licensed premises; the operators are asked to have sufficient management controls and policies in place in relation to disability.

However, the Licensing Authority has not received any complaints in relation to the treatment of disabled people or in relation to access to this sex establishment.

What [inclusive adjustments](#) are you making for diverse disabled people impacted? For example: D/deaf, deafened, hard of hearing, blind, neurodivergent people, those with non-visible disabilities, and with access requirements that may not identify as disabled or meet the legal definition of disability, and have various intersections (Black and disabled, LGBTQIA+ and disabled).

Risks could be mitigated by asking operators of premises to safeguard employees, vulnerable customers, and members of the general public that could be impacted by these establishments. To minimise risks to health the following should be in place; welfare policies, specific training, support services, lead safeguarding officer and in the case of SEV's consideration of having a trained occupational health first aider. SEV's in particular, could be asked on application for the following documentation to ensure these risks are reduced: Codes of Practice for performers, Rules for Customers, Policy of the Welfare of Performers (and to detail how the applicants would monitor and enforce compliance of these rules set).

6.3 Ethnicity, 'Race', ethnic heritage (including Gypsy, Roma, Travellers):

Does your analysis indicate a disproportionate impact relating to ethnicity?

No

We have made the following observations:

If "YES", what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

From the 2021 Census:

- 26% of people are Black or racially minoritised* (27%):
 - 4.8% Asian or Asian British (10%)
 - 2.0% Black or Black British (4%)
 - 4.8% Mixed or multiple ethnic group (3%)
 - 1.1% Arab (0.6%)
 - 11.5% White Irish or White other (8%)

[Census 2021 population groups: Brighton & Hove by Brighton and Hove City Council - Infogram](#)

The positive impact could be the potential job opportunities for staff from diverse backgrounds.

The negative impacts could be discrimination in hiring practices or working conditions; potential issues with representation, stereotyping and fetishising, potential cultural conflicts or sensitivities re: SEVs in

some minoritised cultures, economic impact - venues can impact local economies, potentially affecting minority-owned local businesses.

The operators are asked to have sufficient management controls and policies in place to address diversity, equity and inclusion (DEI).

6.4 Religion, Belief, Spirituality, Faith, or Atheism:

Does your analysis indicate a disproportionate impact relating to Religion, Belief, Spirituality, Faith, or Atheism?

No

We have made the following observations:

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

There were no objections received from universities, schools or places of worship.

The application and its determination must have due regard to the PSED.

[From the Brighton & Hove 2021 census \(where brackets represent the Engand figure comparator\):](#)

- 55.2% of people have no religion or belief (37%):
- 30.9% Christian (46%)
- 3.1% Muslim (6.7%)
- 0.9% Jewish (0.5%)
- 0.9% Buddhist (0.5%)
- 0.8% Hindu (1.8%)
- 0.1% Sikh (0.9%)
- 1.0% Other religion (0.6%)

To be fair and equitable, while some religions or faiths may not support the sale and consumption of alcohol or display of nudity, in Brighton’s context, there is a growing (and higher) population of those who identify as belonging to No Faith (55.2%) compared to England (37%). This requires a balance of individual rights, agency, secular and religious approaches and respect the personal freedom of choices of workers, business owners and wider residents.

The Council has discretion to have regard to the character of the locality or the use of premises in the vicinity – this may include religious buildings. We have not received any concerns from existing religious establishments.

6.5 Gender Identity and Sex:

Does your analysis indicate a disproportionate impact relating to Gender Identity and Sex (including non-binary and intersex people)?

Yes

We have made the following observations

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

The application and its determination must have due regard to the PSED. Each case must be considered on its-merits. It must not discriminate on the grounds of sex or gender.

There is a clear tension between the lawful right to operate SEV of this nature, to work and perform in SEVs of this nature and sex based-equality concerns that relate to the discrimination and objectification of women. The safeguarding of women and the awareness of violence against women and girls is a clear consideration for business’s, police the council and our local residents.

It is important that premises have safe access and treatment for customers of all gender identities; protection for performers and staff from gender-based harassment or violence and pay equity across all genders.

We also have to recognise and acknowledge that women working at SEVs may also be making active individual choices and be free of oppression and are empowering themselves to be able to act on ‘my body my choice’ which should also not be eclipsed due to those who are sexist and socialised into discriminatory behaviours and judgments of SEVs and those who work there.

[The House of Commons Women and Equalities Committee inquiry report into the sexual harassment of women and girls in public places states](#), “Evidence demonstrates that sexual harassment is the norm in the night-time economy”. This report was [published in Oct 2018 with the Government’s response published in May 2019](#). Evidence demonstrates that sexual harassment is the norm in the night-time economy”. This report was published in Oct 2018 with the Government’s response published in May 2019.

The House of Commons inquiry report asks; where does responsibility lie for women and girls’ safety at night? It suggests that the responsibility lies with everybody including central government, the police, local authorities, bars and venues and transport agencies, and that local authorities should “adopt stringent zero tolerance conditions for any existing sexual entertainment venues. These conditions should make it clear that they will withdraw licenses following evidence of harm to women in and around sexual entertainment venues and following evidence of any failure to follow conditions designed to keep women safe within venues.”

[Protection from Sex-based Harassment in Public Act 2023](#) introduces a new offence causing intentional harassment, alarm or distress to a person in public where the behaviour is done because of that person’s sex.

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

As with any licensed premises; the operators are asked to have sufficient management controls and policies in place to address safeguarding of workers.

There are no police complaints or observations about this application.

6.6 Gender Reassignment:

Does your analysis indicate a disproportionate impact relating to [Gender Reassignment](#)?

No

We have made the following observations

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

The application and its determination must have due regard to the PSED. Each case must be considered on its merits.

There should be no barrier to performers in SEV premises in respect of gender reassignment.

There may be a fear of trans or non-binary people being less welcome into any gender specific premises depending upon the nature of its operation.

Premises should consider: potential employment/hiring discrimination against transgender or non-binary (TNBI) individuals who are often over-represented in sex work due to economic barriers - e.g.

[Transgender women and the sex work industry: roots in systemic, institutional, and interpersonal discrimination - PubMed \(nih.gov\)](#) See also [LGBTQbriefing.pdf \(scot-pep.org.uk\)](#)

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

Safety risks for Trans, Non-binary, and Intersex (TNBI) staff and customers in venue and local area, including transphobic behaviour of customers; potential fetishisation; policy re: single-sex spaces in the SEV (e.g., changing rooms, bathrooms)

[From the Brighton & Hove 2021 census:](#)

At least one in a hundred residents aged 16+ (1.0%, 2,341 people) identify as Trans (England 0.5%)

As with any licensed premises; the operators are asked to have sufficient management controls and policies in place to address TNBI staff.

6.7 Sexual Orientation:

Does your analysis indicate a disproportionate impact relating to Sexual Orientation ?	No
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

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6.8 Marriage and Civil Partnership:

Does your analysis indicate a disproportionate impact relating to Marriage and Civil Partnership?	No
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

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6.9 Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum):

Does your analysis indicate a disproportionate impact relating to Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum)?	No We have made the following observations
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

The application and its determination must have due regard to the PSED. Each case must be considered on its-merits. It must not discriminate on the grounds of pregnancy and maternity.

Premises should consider fair employment policies for pregnant performers and effects of venue on local parents of young children.

6.10 Armed Forces Personnel, their families, and Veterans:

Does your analysis indicate a disproportionate impact relating to Armed Forces Members and Veterans?	No
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

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6.11 Expatriates, Migrants, Asylum Seekers, and Refugees:

Does your analysis indicate a disproportionate impact relating to Expatriates, Migrants, Asylum seekers, Refugees, those New to the UK, and UK visa or assigned legal status? (Especially considering for age, ethnicity, language, and various intersections)	No We have made the following observations:
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

The application and its determination must have due regard to the PSED. Each case must be considered on its-merits.

SEV might provide job opportunities for migrants, asylum seekers, and refugees who may face barriers in other sectors. Also consider risks of exploitation (including economic) due to vulnerable immigration

status or language barriers and potential issues re: legal status and work rights. Language and cultural barriers. Potential risk of risk of trafficking or coerced participation for some individuals.

Should a member of staff, management or a customer have a safeguarding concern regarding potential trafficking or coerced involvement in the industry, there should be an awareness of where to report information. Premises can have a DEI Policy.

6.12 [Carers](#):

Does your analysis indicate a disproportionate impact relating to [Carers](#) (Especially considering for age, ethnicity, language, and various intersections).

No

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.13 Looked after children, Care Leavers, Care and fostering experienced people:

Does your analysis indicate a disproportionate impact relating to Looked after children, Care Leavers, Care and fostering experienced children and adults (Especially considering for age, ethnicity, language, and various intersections).

No

Also consider our [Corporate Parenting Responsibility](#) in connection to your activity.

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.14 Homelessness:

Does your analysis indicate a disproportionate impact relating to people experiencing homelessness, and associated risk and vulnerability? (Especially considering for age, veteran, ethnicity, language, and various intersections)

No

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.15 Domestic and/or Sexual Abuse and Violence Survivors, people in vulnerable situations:

Does your analysis indicate a disproportionate impact relating to Domestic Abuse and Violence Survivors, and people in vulnerable situations (All aspects and intersections)?	No We have made the following observations:
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

<p>The application and its determination must have due regard to the PSED. Each case must be considered on its merits.</p> <p>A paper titled ‘License to Cause Harm? Sex Entertainment Venues and Women’s Sense of Safety in Inner City Centre’ by Jackie Patiniotis and Kay Standing consider how the effects of lap dancing clubs contribute to women’s vulnerability in public spaces. It suggests there is evidence of gendered harm caused by SEVs to women in general. “Research undertaken by the Lilith Project on lap dancing in three London boroughs found a 50 per cent increase in reported rapes in the vicinity of the clubs, and also an increase in less measurable effects on women such as harassment and fear of violence (Eden, 2007). Research has demonstrated that fear of assault and the consequent creation of no-go areas for women relate directly to the activities of male customers of lap dancing clubs, and anti-social behaviours associated with the freeing up of the night-time economy (Higginson, 2012).”</p> <p>https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/09627251.2012.695498.pdf</p> <p>One of the objectors references a new report that has been released to highlight the harm caused by Sexual Entertainment Venues (SEVs) to women as a group. The 50 page report was produced by Safe and Equal Bristol – an umbrella group of Bristol-based stakeholders and professionals in the field of gender equality and sexual and gender-based violence – who want Bristol to be a fair and equal city that does not tolerate violence against women and girls. was produced by Safe and Equal Bristol – an umbrella group of Bristol-based stakeholders and professionals in the field of gender equality and sexual and gender-based violence – who want Bristol to be a fair and equal city that does not tolerate violence against women and girls.</p> <p>While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.</p> <p>Joint Strategic Needs Assessment data regarding sex workers in the city is not yet available.</p> <p>Brighton & Hove City Council is working towards a White Ribbon accreditation, and this is still in progress.</p> <p>There were no objections from the police to this renewal.</p>
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6.16 Socio-economic Disadvantage:

Does your analysis indicate a disproportionate impact relating to Socio-economic Disadvantage? (Especially considering for age, disability, D/deaf/ blind, ethnicity, expatriate background, and various intersections)	No: We have made the following observations:
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

The application and its determination must have due regard to the PSED. Each case must be considered on its merits.

Dr Rachela Colosi from the University of Lincoln submitted comments to the Spearmint Rhino renewal application in 2019 and attended the Sub-Committee hearing in Sheffield. Research she had conducted suggested “where the licenses of SEV’s are denied or revoked, as well as exposing women to poverty through unemployment, those who wish to continue to work as dancers, but are unable to find work in SEV’s, may have no alternative but to seek work in unregulated spaces of erotic dance, increasing their risk of experiencing further exploitation. There is evidence to suggest that those working in unregulated spaces of erotic dance are exposed to more risks, including non-payment of labour, and increased incidents of sexual and physical violence” Evidence provided by current dancers at the same renewal Sub-Committee hearing suggested that they felt safe working at the club. They choose to work there as it gave them financial security and flexible working hours.

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

We do not have information from women or performers who work at this premises at this time.

6.17 Human Rights:

Will your activity have a disproportionate impact relating to Human Rights?	No
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

Regard must be had to the Human Rights Act 1998. The circumstances of an SEV application may require regard, amongst other rights, to:

Art 6: Right to a Fair Trial

Art 10: Right to Freedom of Expression; and

Protocol 1, Article 1: Protection of Property.

6.18 Cumulative, multiple [intersectional](#), and complex impacts (including on additional relevant groups):

What cumulative or complex impacts might the activity have on people who are members of multiple Minoritised groups?

- For example: people belonging to the Gypsy, Roma, and/or Traveller community who are also disabled, LGBTQIA+, older disabled trans and non-binary people, older Black and Racially Minoritised disabled people of faith, young autistic people.
- Also consider wider disadvantaged and intersecting experiences that create exclusion and systemic barriers:
 - People experiencing homelessness
 - People on a low income and people living in the most deprived areas
 - People facing literacy, numeracy and/or digital barriers
 - Lone parents
 - People with experience of or living with addiction and/ or a substance use disorder (SUD)
 - Sex workers
 - Ex-offenders and people with unrelated convictions

- People who have experienced female genital mutilation (FGM)
- People who have experienced human trafficking or modern slavery

An intersectional approach recognises that individuals may experience multiple, overlapping forms of discrimination or disadvantage. Young women from lower socioeconomic backgrounds may be more vulnerable to exploitation or feel economic pressure to work in SEVs.

Equally some women may exercise their agency and rights as a human being to actively work in the sexual entertainment industry and should not be fetishised, diminished, demonised, or have their agency diminished because of potential risk and opinions of other sectors of society, or other conditioned belief systems that exist in wider society.

Systems of ensuring safety, strongly regulated spaces and protections for Sex Workers or those working in SEVs should instead be strengthened if we want to ensure a systematic change-based approach and not a deficit model approach where individual choice, agency and person-centred working and assessments are negated.

Black and Racially Minoritised women, especially those who are migrants or refugees, may face compounded discrimination and heightened risk of exploitation. Disabled women may face unique barriers in accessing employment in SEVs, both in terms of physical accessibility and attitudinal barriers. Young LGBTQ+ individuals, especially those who are economically disadvantaged, may be at higher risk of entering sex work due to family rejection or discrimination in other employment sectors.

Transgender women, particularly from racially minoritised communities, often face severe employment discrimination and may be overrepresented in sex work. Trans women of colour live within intersections of discrimination based on race, being women, and being transgender. While trans women of colour share experiences of transphobia and cisnormativity with other transgender people, experiences of sexism with other women, and experiences of racism with other people of colour, these experiences interact and cannot be separated: trans women of colour experience discrimination uniquely as trans women of colour <https://pmc.ncbi.nlm.nih.gov/articles/PMC4205968/>.

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

7. Action planning

What SMART actions will be taken to address the disproportionate and cumulative impacts you have identified?

- Summarise relevant SMART actions from your data insights and disproportionate impacts below for this assessment, listing appropriate activities per action as bullets. (This will help your Business Manager or Fair and Inclusive Action Plan (FIAP) Service representative to add these to the Directorate FIAP, discuss success measures and timelines with you, and monitor this EIA's progress as part of quarterly and regular internal and external auditing and monitoring)

1. If this licence is renewed, we could introduce mitigating measures to address potential negative impacts within 12 months.

1.1 By adding additional checks to our inspection checklist that address staff welfare and safeguarding.

1.2 Signposting management to relevant resources regarding exploitation, violence against women and girls, safety and equality of staff, advice regarding awareness of the vulnerability of staff who may have intersectional protected characteristics.

1.3. Reference to sexual assaults in the local area was made in the objections. Further work is needed to investigate these concerns by the Licensing Team in collaboration with the Police.

Which action plans will the identified actions be transferred to?

- For example: Team or Service Plan, Local Implementation Plan, a project plan related to this EIA, FIAP (Fair and Inclusive Action Plan) – mandatory noting of the EIA on the Directorate EIA Tracker to enable monitoring of all equalities related actions identified in this EIA. This is done as part of FIAP performance reporting and auditing. Speak to your Directorate's Business Improvement Manager (if one exists for your Directorate) or to the Head of Service/ lead who enters actions and performance updates on FIAP and seek support from your Directorate's EDI Business Partner.

8. Outcome of your assessment

What decision have you reached upon completing this Equality Impact Assessment? (Mark 'X' for any ONE option below)

Stop or pause the activity due to unmitigable disproportionate impacts because the evidence shows bias towards one or more groups.	
Adapt or change the activity to eliminate or mitigate disproportionate impacts and/or bias.	
Proceed with the activity as currently planned – no disproportionate impacts have been identified, or impacts will be mitigated by specified SMART actions.	X
Proceed with caution – disproportionate impacts have been identified but having considered all available options there are no other or proportionate ways to achieve the aim of the activity (for example, in extreme cases or where positive action is taken). Therefore, you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.	

If your decision is to "Proceed with caution", please provide a reasoning for this:

Summarise your overall equality impact assessment recommendations to include in any committee papers to help guide and support councillor decision-making

Members of the panel are advised to have regard to the contents of the EIA in reaching their decision on whether to renew the current SEV licence. Potential risks and wider national research have been highlighted and mitigating actions and future work have been identified, particularly with safety considerations along with the balancing consideration for individual agency of staff, performers and customers in the SEV, which has been in operation since 2011.

Due regard to the PSED is a matter for Members making the decision. They will have access to the application, representations and any presentations at the hearing in addition to this EIA document.

9. Publication

All Equality Impact Assessments will be published. If you are recommending, and choosing not to publish your EIA, please provide a reason:

10. Directorate and Service Approval

Signatory:	Name and Job Title:	Date: DD-MMM-YY
Responsible Lead Officer:	Emily Fountain, Licensing Officer	16-Dec-24
Accountable Manager:	Sarah Cornell, Senior Licensing Officer	16-Dec-24

Notes, relevant information, and requests (if any) from Responsible Lead Officer and Accountable Manager submitting this assessment:

EDI Review, Actions, and Approval:

Equality Impact Assessment sign-off

EIA Reference number assigned: City Services77-25-Nov-2024-EIA-Renewal-of-Sexual-Entertainment-Venue-Licence

For example, HNC##-25-Dec-23-EIA-Home-Energy-Saving-Landlord-Scheme

EDI Business Partner to cross-check against aims of the equality duty, public sector duty and our civic responsibilities the activity considers and refer to relevant internal checklists and guidance prior to recommending sign-off.

Once the EDI Business Partner has considered the equalities impact to provide first level approval for by those submitting the EIA, they will get the EIA signed off and sent to the requester copying the Head of Service, Business Improvement Manager, [Equalities inbox](#), any other service colleagues as appropriate to enable EIA tracking, accountability, and saving for publishing.

Signatory:	Name:	Date: DD-MMM-YY
EDI Business Partner:	Chris Brown	19-Nov-24
EDI Manager:	Sabah Holmes	25-Nov-24
Head of Communities, Equality, and Third Sector (CETS) Service: (For Budget EIAs/ in absence of EDI Manager/ as final approver)		

Notes and recommendations from EDI Business Partner reviewing this assessment:

Notes and recommendations (if any) from EDI Manager reviewing this assessment:

Notes and recommendations (if any) from Head of CETS Service reviewing this assessment:

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Appendix F

