

RESPONSE BY URBAN TIGER TO MAIN OBJECTION ISSUES

There are no objections from the Police or any other responsible authority or local organisation, such as schools.

Whilst names are properly removed from the objection letters before you, the content makes it clear that the majority, if not all, are from women.

It will be noted that the great majority of the objections are duplicated, and many find their roots in the OBJECT website, and in particular in Appendix 3 to OBJECT's publication "Stripping the Illusion". Many others echo the words used by Jac Higgs in her letter published in the Northampton Chronicle on 1 January, inviting objections to the application, or the comments made by former Councillor Anjona Roy in the article published on page 3 of the same edition of that paper. That article also referred to the campaign mounted on the internet (on Facebook and mumsnet) by a group opposed to the application, to get the licence refused. Those objecting as a result of these campaigns are fully entitled to do so in the way that they have, but the Committee is entitled to place such weight, if any, on those objections as they think fit in all the circumstances.

The applicant's responses to the main tenets of the objections received to the application are set out below.

Main points raised in the 3 x 8 page full objection letter

1. Sex object culture

Beautiful women have chosen to show off their attributes in dance as an entertainment for literally thousands of years (Salome comes to mind as an early example, with the Bluebell girls etc in the otherwise restrained sexual atmosphere of the early to mid 20th Century). The culture in which we now find ourselves is open and liberal about sexuality and sexual issues, which is demonstrated daily in all aspects of the media including films etc.

Many regard this move away from repression to be healthy and good. Men and women are no longer ostracised or penalised for openly stating their sexual preferences, be that homosexual or heterosexual. Of course, abnormal or harmful practices must be properly controlled and curtailed to protect children and the vulnerable, and that is essential. My clients have families themselves and are especially sensitive on the issue of child protection.

Past experience has shown that, if activities are driven underground, they don't stop, it is just that they are controlled solely by criminals without rules or scruples. Examples are Prohibition in the US, and the abolition of hand guns here a few years ago, where the poster seen at

the time in lawful and well run gun clubs “If you outlaw guns only outlaws will have guns” proved almost 100% accurate.

The growth referred to in the objection (doubling in the past 5 years) simply demonstrates that this is an entertainment that is in demand. If the venues are not allowed to continue lawfully, the demand is unlikely to suddenly go away, it will just go underground, which would be a dire and thoroughly undesirable outcome for all concerned.

2. Leads to Prostitution

I believe that the operators of the leading quality lap dancing venues will be the first to advise that running an establishment of this nature properly is not easy. Both Mr Knight, who has a long association with the highest quality venues, and the current operators who have run this venue without complaint for approaching a decade, are fully aware of the standards, controls and investment that must be put into place to ensure that both dancers and customers know, and obey, the rules.

Mr Knight has liaised closely with Police and other partners in the various locations where he has operated (from Westminster through to City centres and areas across the country), and has never been charged with the accusation that the presence of his establishment has increased “demand for nearby prostitution services”. One must accept that there is a possibility that a poorly run establishment in a “red light” area could have such a result, but we are returning to the argument of sidelining/criminalising this entertainment style and the potential results of that.

If there was any concern on the part of the Police that this was a genuine objection with regard to this club, I have absolutely no doubt that they would have made an objection to this application.

3. No go areas.

The cited 2003 Lilith Report for Camden LBC preceded not only this legislation, but the LA 2003 which came into effect in 2005. On 19 January this year, Dr Brooke Magnanti published a statistical re-analysis criticizing this Report for its significant methodological errors. Her “green paper” demonstrates that in the period since lap dancing became legal in London the rate of rape in Camden has fallen, is lower than areas of London without the clubs, and is in line with national averages. She also claims that research “supports the conclusion of no demonstrable casual link between adult entertainment and rape”. Other studies in favour of abolishing exotic dancing suffer, she claims, from flaws in research methodology.

Once again, in his liaison with the Police etc, the operations with which Mr Knight have been involved have never been charged with increasing

sexual assaults. Considerable care is taken of the dancers to ensure their safety, and they are required to be at the venue before it opens, and stay until customers have all left. (see Rs 16 & 17 COD).

There is criticism that this venue is on a “main thoroughfare” (Wellingborough Road). The Royal Institute of Town Planning quote of issues in “certain locations” is cited in favour of this being inappropriate. Conversely, I would respectfully suggest that all concerned got this absolutely right from the outset. It is not in a secluded side street, or a seedy area, where women may well be entirely justified in feeling threatened, but in a busy main location not far from the Police Station and other business and public service offices. Most of the offices etc are closed when the premises are open for lap dancing, but traffic will still pass to provide security. It is not, however, in the central hub of Northampton within the ring road, where most pedestrian and family activity is likely.

This club has been offering a quality venue with lap dancing as an entertainment for 7 years. There has been no complaint from the Police that they have seen any local increase in violence against women as a result of the lap dancing activity. It bears repetition to say that the Police raise no objection to this application and I am sure that they would have properly brought any fears or concerns to this Committee had that been appropriate, as would any other responsible authority.

4. Negative impact on women’s safety in wider society.

I have grave difficulties in following the argument about sexual harassment in the clubs in this context, unless it is addressed at male customers by the self-assured and competent dancers! You will hear from a dancer about her experience in this industry, but I would respectfully submit that the authors of these statements may well not actually have been to a properly run lap dancing club to see how they operate, because there is no harassment.

This objection is also very clearly countered in practice by the number of women customers who regularly attend this club, with between 5 and 15% of customers on a typical evening being women. The committee has evidence of their satisfaction of the way in which this club is run before it in the support comments for the club.

I have already commented on the “sex object” objection (at 1 above).

5. Gender Equality Duty

The website from which all these objections taken is obviously not yet updated to take into account that the Gender Equality Duty Act 2007 is now superseded by the Equality Act 2010. As this Committee will be aware, there is no longer a requirement to effect a gender impact assessment, although that is replaced by a duty to prepare and publish

equality objectives and information having regard to the three general and specific equality duties and this legislation is, in fact, referred to in the extract from the Council's draft Statement of Licensing Policy published here. This Statement of Policy is, of course, distinct and separate from any SEV policy you may decide to adopt in the future. You will not, therefore, be updating your Licensing Act 2003 Policy as suggested by the 3 objectors referring to this document. Your proper commitment to compliance with this legislation is expressed in the quoted extract.

The statement that to grant any licences for SEVs would be contrary to your stated equality duties is, in my respectful opinion, wrong. The nub of equality is to "eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act" (first general equality duty), and to advance equality of opportunity and foster relations between people who share a protected characteristic and those who do not (second and third duties).

I would respectfully submit that there is no harassment of the dancers in this club, and there is no evidence of victimisation nor of unlawful discrimination. Conversely, I would respectfully argue that the men, and women, enjoying this style of entertainment have a right to be able to continue to do that - provided, of course, that there is no direct evidence of harm arising (and there is no such evidence in respect of this club). Many venues also offer male entertainers for the benefit of female customers, so to wipe a broad brush across the whole industry as suggested is inappropriate.

The women who contract to dance at the club do so entirely of their own free will, so they are not the subject of unwanted sexual attention and their ability to perform as an artiste in this environment without unwanted attention is protected by the strict house rules and licence conditions.

6. Sexual objectification.

This is effectively a repetition of the objection raised at paragraph 2 above and my response is likewise repeated.

7. Northampton's Central Area Action Plan

I have addressed the Equality Act duties, and do not propose to rehearse those again. I have also addressed the siting of the club and the reason we believe that to be a good position. I would respectfully submit that this club is far less prominent in both its display of its activities and its position in pedestrian areas than, for instance, Ann Summers, in the High Street.

8. Urban Tiger's future without an SEV

Put simply, in this current economic climate, and having regard to the issues that ordinary nightclubs bring to an area which lap dancing clubs do not (ie an increased potential for noise, nuisance, crime and disorder)

there is no future without an SEV Licence. We appreciate the acknowledgment of the authors that they would not wish to see it close. If no SEV was granted and it did have to close, then as many as 20 full and part time on site jobs as such could be lost, together with up to 5 agency door supervisors, and between 25 and 45 self employed dancers (according to the time of year and how busy the club is) would lose this source of income.

Standard Licence Conditions

As this is repeated in several other objection letters, I shall refer to these suggestions at a later stage, but those who took the trouble to consider the application lodged will be aware that extensive conditions were offered at the outset by the applicants to show their commitment to continue operating a top quality club here. The majority of the issues covered in these suggestions have already been offered as conditions, but some are inappropriate and comment will be made on that following the consideration of other objections before you.

Most of the points raised in the 41 x 3 page objection letter, replicate those in the full objection letter, and are already addressed above.

Some additional points are raised which merit a response, and these are:

1. Graphic Advertising (paragraph 2)

My clients, with the input of the experienced Mr Knight, recognised before receiving any of the objections now before you, that advertising could be a cause for concern. Following consultation and advice Conditions 11-14 are specifically offered to control advertising. I would invite you to look at these again.

11. The Licensee shall ensure that any external advertisement promoting the entertainment on the premises complies with the Advertising Standards Agency guidelines and has the required prior Council approval.
12. The use of ad-vans to advertise sexual entertainment venues is prohibited.
13. The Licensee shall not permit the display outside of the premises of photographs or other images, excluding trade marks or logos, which are unacceptable to the Council, and which may offend public decency.
14. Where the Council has given notice in writing to the Licensee objecting to an advertisement on the grounds that, if displayed, it would offend public decency or be likely to encourage or incite crime and disorder that advertisement shall be removed or not be displayed.

It will be seen that, if the Committee kindly grants an application, and makes it subject to the offered conditions, there will be extensive controls over the advertising. Firstly, advertising outside the premises must comply with Advertising Standards Agency principles and standards. Next, it must have Council approval. Conditions 13 and 14 offer additional assurances regarding such external advertising and the form it may take.

Several individual objectors have also complained about the A board or ad van used to promote the entertainment at the premises in the borough, and it will be seen that the site has agreed to give this up.

2. That the Club is in an inappropriate position (paragraph 2) due to :

- Bus stops used by women late at night

The concern is raised that these premises are near such bus stops. There are two bus stops, each at least 50m from the club. The main trading hours of Urban Tiger for this entertainment are :

Monday to Thursday : 10pm to 3am
Friday & Saturday : 9pm to 4am

The premises will occasionally open earlier, but not generally before 6pm. The premises are sometimes booked for private or special events which may require earlier opening.

The majority of women out alone will not be out in this area at the general start of trading times (ie 9pm or 10pm), although it is accepted that those without transport may need to do so. The last bus from the Abington Square stop is at midnight, which is 3 or 4 hours before the terminal hour for entertainment.

This issue has not been raised prior to this application, and there is no reason to believe that a permission to continue to operate will cause any problems.

- Games Workshop used by children for warhammer games etc

Individual objectors also raise the issue of a shop selling school uniforms being close by. It appears that the main concern was the graphic advertising complaint, and that is now fully addressed at 1 above. Both of these establishments generally operate during normal working day opening hours and even the late night Thursdays for the Games Workshop (8pm) is very unlikely to coincide with the normal operational hours of these premises.

An individual correspondent expands on the location of the club and exposure to young children, claiming that is that this is a busy stretch of road, that a great number pass by every day as well as being close to the uniform shop and Games Workshop. A suggestion is made to relocate

club or move its entrance. Another suggests that if Northampton needs a Men's Club of this nature, it should be situated away from the main street where women and children walk past.

For the reasons previously stated both above and in our response to paragraph 3 on page 4 of this document, it is averred that the position is, in fact, good. As well as being away from main shopping areas etc, it is only a short distance to the main Campbell Square Police Station. Any public nuisance or crime and disorder issues arising out of its use or position would have given rise to a potential application for Review under the current legislation, but no such applications have been made or complaints received. This position has, in my respectful submission, far less potential for bringing pedestrians and children in contact with window displays and advertisements that may be inappropriate than in the High Street where, for example, Ann Summers is situated.

Once again, no issue has been raised in this respect prior to this application, and there is no reason to believe that grant of the SEV Licence to continue the operation will cause any problems.

3. Business entertainment resulting in exclusion of women colleagues (paragraph 3)

This is an expansion of the "Gender Equality" argument propounded by the objectors, and the concern is that a female business colleague in a situation where clients were being entertained at Urban Tiger would "necessarily" be excluded. This is inaccurate. It is far from unknown that female as well as male business people attend with clients to entertain them. Urban Tiger is a regular venue of choice for business entertainment because of its excellent service and well furnished and decorated surroundings, and the safe and controlled environment. Most business women, especially those in a male dominated business, will be very used to professionally dealing with most business situations. I anticipate that the majority in that situation would not regard themselves as "necessarily" excluded from entertaining clients at Urban Tiger, and that some may well be offended at the suggestion that they should be excluded.

An individual correspondent has indicated that she believes her career has been "directly damaged" by her unwillingness to join male colleagues in such establishments, but such a claim, if wholly accurate, would appear in itself to smack more of discrimination by her employers.

Most of the conditions suggested have either been offered at the time of the application. Comment will be made below on those which are not regarded as being appropriate.

There are no points raised in the 20 x 2 page objection letter, not already addressed above (this appears to be a truncated version of the 3 page objection letter).

Individual objections not already addressed above

The majority of those objecting do so in respect of the advertising of the entertainment, and this has been fully addressed by the applicants at the time of the making of this application, and is referred to above.

One refers to fear of harassment and intimidation from the “punters”, and another claims to have been heckled by men customers coming from and going to the club. This is certainly not something of which my clients are aware. Door supervisors are at the entrance of the club when it is open, and will be able to see what is going on in the street outside. They would immediately intervene should they witness any such behaviour, and would also report the incident to the management. No such reports have been received. It is a sad fact that some men can act entirely inappropriately towards women, especially when in a group or drunk, but they could have previously been at any of the bars or clubs in the town. Any former or prospective customer of Urban Tiger found behaving in this way would face an entry ban.

One email correspondent refers to walking to the Railway Station or hotel late at night. The Committee will be far better acquainted with the area than I, but it is not very close to either the Station (on the other side of town) or hotels. Apparently, the nearest hotel is believed to be the Park Hotel, about a mile away.

She also recounts what she describes as “depressing” lap dancer stories - with its permission, the Committee will hear from a dancer in person and can judge for themselves. She will also be able to comment on the allegation made that men who visit “such places” regard prostitution services on site as “normal”. My client advises that no such provision would be tolerated and that gentlemen attending this club will most certainly have no reason to hold such a view, and would very soon be disenchanted if they did. Once again, if the Police were of a similar view in respect of this club, they would no doubt be objecting to this application.

Conditions

Several of the correspondents helpfully and sensibly suggest control of the establishment by condition. As previously stated, my client readily accepts that this is appropriate to demonstrate the controls that will be maintained and their fitness to hold this form of licence. If a licence is granted on

conditions, then the Committee can be assured that, even if the operators should change (which is not under current consideration) the proper controls will be in place.

The Committee will note that the great majority of the various conditions suggested are either offered in terms indicated or with a similar effect, and mainly at the time that the application was presented, except those seeking the following restrictions :

1. *No full nudity permitted.* This has been offered here for 7 years without issue, and is offered and controlled without issue at most quality operator sites. As only those who wish to enjoy the entertainment will be able to see the performances, there should be no reason to curtail the performances. No offence will be caused to anyone who may otherwise find this offensive, as it cannot be seen except by those deliberately going to enjoy the entertainment.
2. *3 feet rule.* This has been found to be practically incapable of implementation or enforcement, and most authorities (including Westminster) have reverted to the “no contact” type condition offered for clarity. The Association of Chief Police Officers has recognised the problems with enforcement of a 3’ rule, and does not advocate such a condition. Condition 25 is offered by the applicant.
3. *Challenge 25.* We have already offered Challenge 21 and respectfully submit that this works well. The very thorough checks carried out by door supervisors have ensured that there are no known instances where someone under 18 has been admitted to the club whilst lap dancing is being performed.

The customer profile, especially having regard to the average spend per head of £50+, is generally late 20’s and over.

For clarification, Condition 23 offers the comfort sought by those seeking a “no private booths” condition, and is in fact wider than such a condition. This club does not have enclosed private booths. Some clubs have been known to have private rooms, or fully enclosed booths, in which dancer/s and customer/s may be without supervision, and it is accepted that this is not desirable. The “no private booths” condition follows one of the few suggestions made in the University of Leeds Research preliminary report, to improve conditions in lap dancing clubs. In a survey of 300 dancers, the report findings included that job satisfaction amongst dancers was very high, whilst those who felt disrespected was under 10%, and most felt safe at work. The methodology also included interviews with those in the industry, Police and Local Authorities.

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21.2.11