Thank you for responding to the Local Government and Regeneration Committee’s Call for Evidence on the Air Weapons and Licensing (Scotland) Bill. All submissions will be examined and considered as part of the Committee’s scrutiny of the Bill.

Please be aware that questions marked with an asterisk (*) require an answer before you can submit the form.

Follow the Local Government and Regeneration Committee’s Twitter feed - all Committee tweets on this Bill will have the hashtag #aw&lbill.

*1. Please supply your name and contact details:

Name: Evelyn Gillan
Organisation: Alcohol Focus Scotland
Address 1:
Address 2:
City/Town:
Postcode:
Country:
Email address (if no email leave blank):
Phone Number:
2. Please confirm that you have read and understood the Scottish Parliaments “Policy on the treatment of written evidence by subject and mandatory committees”:

☑ Yes

3. Please confirm whether you are content for your name to be published with your submission:

☑ Yes

☐ No

4. Which of the three categories below best describes your interest in the Bill (please tick only one)?

☐ Personal

☑ Professional

☐ Commercial

5. Do you wish your email to be added to the Committee’s distribution list for updates on progress of the Bill:

☑ Yes

☐ No
6. Invitations to give oral evidence to the Committee on the Bill will be based on the submissions received. If you wish your submission to be included amongst those considered for possible invitation to give oral evidence, please indicate here.

☐ Yes

☐ No

* 7. You may answer questions on the entire Bill, or on any part of the Bill. Please indicate which parts of the Bill you are responding to? (You may select as many options that apply).

☐ All of the Bill

☑ Equality, climate change and other Scottish Government objectives

☐ Air Weapons

☑ General licensing issues

☑ Alcohol licensing

☐ Civic licensing – taxi/private hire car licensing

☐ Civic licensing – scrap metal dealers

☐ Civic licensing – theatre licensing

☑ Civic licensing – sexual entertainment venues
6. Civic Licensing – Sexual Entertainment Venues

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

50. What are the consequences of operating the new licensing regime using the definitions set out at section 68 of the Bill?

- 'sexual entertainment venue'
- 'audience'
- 'financial gain'
- 'organiser'
- 'premises'
- 'sexual entertainment', and
- 'display of nudity'

51. The Bill specifies that a venue hosting sexual entertainment on three occasions or less within a 12 month period would not be treated as a sexual entertainment venue: does this have any unintended consequences?

We note the position of violence against women groups, who wish to see an end to the existence of sexual entertainment venues. It is the view of AFS that sexual entertainment and the sale of alcohol should be licensed separately, but we would like to see more robust regulation of sexual entertainment venues as a step towards their elimination. We do not agree with proposals to exempt venues hosting sexual entertainment on three or fewer occasions within a 12 month period from licensing requirements. If activity causes sufficient harm so as to require to be licensed, the number of times that activity occurs should not be relevant.

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1 Consultation on Regulation of Sexual Entertainment - Summary of Responses, Scottish Government, 2014
52. Local licensing authorities will be able to set the number of sexual entertainment venues in their area to below the existing level, or zero: are there any advantages or disadvantages to this approach?

53. The Bill relies mainly on the existing licensing regime for sex shops as set out in section 44 and Schedule 2 of the Civic Government (Scotland) Act 1982 (application, notification, objections and representations, revocation of licences etc., enforcement and appeals): is this mechanism adequate for the licensing of sexual entertainment venues - if not, please explain why?

54. Are there any barriers to licensing authorities operating the new licensing regime?
Alcohol Focus Scotland supports the proposal to separately licence sexual entertainment and the sale of alcohol. This will increase the regulatory requirements on sexual entertainment venues that sell alcohol. Sexual entertainment activities and the sale and consumption of alcohol each pose specific risks to society. It is therefore justifiable and appropriate that premises that offer both the sale of alcohol and sexual entertainment are subject to more extensive regulation than premises that sell alcohol alone.

We welcome the Scottish Government’s acknowledgement of the need to ensure the sexual entertainment and alcohol licensing systems are consistent. It is crucial that these systems are appropriately coordinated and that licensing boards are still informed by applicants and licence holders that sexual entertainment is to be provided on a licensed premises. A separate licensing scheme for sexual entertainment should not erode the responsibility of a licensing board to consider the general and specific risks of selling alcohol in a venue that offers sexual entertainment and to impose measures to minimise risk. For example, whilst alcohol does not cause domestic violence, evidence suggests that it can be a contributory factor. Evidence also indicates that controlling the availability of alcohol can limit and minimise alcohol-related problems, including violence. It is therefore legitimate for a licensing board, in seeking to promote the licensing objectives, to consider the imposition of additional conditions on licensed premises that offer sexual entertainment to reduce the risk of alcohol-related violence within the premises and outwith. Such conditions could include, inter alia, reduced licensed hours, restrictions on all promotional activity involving alcohol, and the use of CCTV.

55. Civic Licensing

Do you have any other comments to make on the civic licensing aspects of the Bill?