

Air Weapons and Licensing (Scotland) Bill: Introductory Questions



The Scottish Parliament
Pàrlamaid na h-Alba

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: Gillian Gunn
Organisation: Highland Violence Against Women Partnership
Address 1:
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Postcode:
Country:
Email address (if no email leave blank):
Phone Number:

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*** 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

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

Professional

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

Yes

*** 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

*** 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).**

Civic licensing – sexual entertainment venues

Name/Organisation:

Highland VAW Partnership

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'

We believe that the consequence of using the language outlined above to describe “sexual entertainment” and its associated activities legitimises a pervasive form of Violence Against Women. It is our understanding, and that of the Scottish Government, that strip clubs, lap dancing clubs, etc are forms of gender based violence that have clear detrimental impacts for the women involved, local communities and on gender relationships as a whole.

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 appreciate that providing “sexual entertainment” infrequently would not in itself mean that a venue was a “sexual entertainment venue”, but we would expect the premises to have in place a licence to host the “sexual entertainment”, regardless of frequency.

The Highland Violence Against Women Partnership understands terms such as “adult entertainment” and “sexual entertainment” to be euphemisms for forms of Commercial Sexual Exploitation, and, as such, forms of Violence Against Women. Commercial sexual exploitation is as harmful to the individuals involved and to society as a whole regardless of how frequent performances are.

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?

We still require clarity on whether or not Local Authorities will be able to do this under existing European legislation and “grandfather” or “acquired” rights”. We understand that Local Authorities could set their numbers to zero, but some Licensing Boards are concerned that where there are existing venues offering lap dancing, etc, they would not be legally able to set the numbers to zero. However, as we understand that this new legislation would have no bearing on the previous application for alcohol licensing (which is, in effect, all that current venues have in terms of licensing arrangements) we therefore anticipate that it would mean that areas could set their numbers at zero.

We welcome this proposal (subject to clarity around the issues raised above) as current approaches by local Councils to Violence Against Women are being undermined by the current system in relation to Licensing.

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?

We are unsure if this is adequate, particularly as venues are often in areas with low population density and therefore there are not many residents in the area who are informed of the application. We believe that it is appropriate for Boards to adopt systems whereby they can draw attention to applications to a wider range of interested individuals, particularly their own Council's lead officers for equalities and Violence Against Women issues.

54. Are there any barriers to licensing authorities operating the new licensing regime?

Only potentially the issue described in question 52 in relation to existing establishments.