

Council to re-examine ban on strip clubs

A controversial decision to ban strip clubs in Edinburgh is set to be revisited by the council, after performers warned it could force them into underground sex work and leave them unable to afford childcare.

The policy to cap the number of sexual entertainment venues at zero, effectively shutting down the capital's four existing lap dancing bars, is already the subject of a judicial review launched by United Sex Workers (USW).

The union said it had been a difficult time for members since councillors narrowly voted for the 'nil cap'. Representatives said the news had caused "a lot of stress" to many worried about finding new employment or having to work in unsafe, unregulated environments.

The regulatory committee has now backed a consultation to allow the council to review the policy again.

The committee is made up of different councillors since last May's election, and so is different from the one which last March took the decision. Meeting this week the committee heard from USW members who said they had "been trying our best to overturn the decision".

A crowd-funded judicial review launched by the union

challenging The City of Edinburgh Council's ban was heard in court at the beginning of December, but a decision is yet to be delivered. Councillors agreed the 12-week statutory consultation would not commence until the outcome of the court case is known.

Suzanne, a lap dancer based in Edinburgh, told the committee: "The wait for the judicial review has been difficult because as it draws closer to April, which is when the licence is supposed to run out, it is giving us less and less time to come up with solutions and other plans of action which is potentially pushing more of us into a situation where I'm probably not going to be able to get a job that's going to pay me enough to afford my childcare and commute in such a short period of time."

Another performer, Amelie, added: "I think it's extremely important to be reminded that the nil cap will push dozens of women into either unemployment, an unfit benefits system or underground, unsafe forms of sex work.

"While the council might think that a nil cap will protect women, it will do the opposite.

"A year on, we still haven't seen any tangible evidence that closing these establishments will protect anyone.

"Strippers are also women that live outside the strip club and have a life outside the strip club. I think it's really important to not dehumanise strippers and remember that they're women too."

All sexual entertainment venues (SEV) in Edinburgh will be required to apply for a licence by 31 March and will be able to continue operating until applications are determined.

However a report said a licence "may be granted" despite the nil cap.

It added: "This is one of the issues that is being tested in the judicial review and therefore, at this stage, it is not clear what the situation will be at 1 April 2023."

Cllr Neil Ross, convener of the regulatory committee said that while venues can ask to be "treated as an exception to the policy" limiting SEV's at zero "is effectively a presumption against the grant of any licence".

He added: "As we know the purpose of this council as licensing authority is the preservation of public safety and public order and the prevention of crime.

"That's why we have a licensing policy for sexual entertainment venues – primarily to safeguard the performers and others in the venue.

"The nil cap needs to be reconsidered for the sake of the performers – so I am happy to support the call for another consultation to allow the committee to think again and clearly we need to take account of the decision from the judicial review before another consultation were to go ahead."

Cllr Joanna Mowat argued it would be "premature" to agree to a consultation before the outcome of the court review, saying it "may make this work unnecessary".

The committee voted 6-3 in favour of reviewing the SEV policy.

by Donald Turvill

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