

Equality Impact Analysis Template

Section 1: Introduction

Name of proposal
For the purpose of this document, 'proposal' refers to a policy, function, strategy or project
Waiver application for Sexual Entertainment Venue under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982
Service area and Directorate responsible
Public Realm, Place
Name of completing officer
Kathy Driver
Approved by (Corporate Director / Divisional Director/ Head of Service)
David Tolley – Head of Environmental Health and Trading Standards
Date of approval
16/12/2022

Where a proposal is being taken to a committee, please append the completed EIA(s) to the cover report.

Conclusion – To be completed at the end of the Equality Impact Analysis process

This summary will provide an update on the findings of the EIA and what the outcome is. *For example, based on the findings of the EIA, the proposal was rejected as the negative impact on a particular group was disproportionate and the appropriate actions cannot be undertaken to mitigate risk. Or, based on the EIA, the proposal was amended, and alternative steps taken.*

The focus of this is to analyse the impacts of the proposal on residents, service users and the wider community that are likely to be affected by the proposal. If the proposed change also has an impact on staff, the committee covering report should provide an overview of the likely equality impact for staff, residents and service users and the range of mitigating measures proposed.

Conclusion	Current decision rating (see Appendix A)
<p>Licensing Committee must consider this application to waive the need for a Sexual Entertainment Venue Licence.</p> <p>Licensing Committee is required by the above Act and its own Terms of Reference to consider this application. It is entitled to grant or refuse the application. Decision to grant or refused must have clear reasons and be within the confines of the legislation governing Sexual Entertainment Licensing, namely the Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.</p> <p>A Legal Officer from the Council will be present at the Licensing Committee Hearing and be present during the Committee decision making. The purpose of this is to provide legal advice in regard to the hearing, and the decision. This ensures that any decision considers relevant legislation, government guidance or council policies.</p>	<p>Amber</p>

The Equality Act 2010 places a ‘General Duty’ on all public bodies to have ‘due regard’ to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with ‘protected characteristics’ and those without them
- Foster good relations between those with ‘protected characteristics’ and those without them

This Equality Impact Analysis provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above. For more information about the Council's commitment to equality, please visit the Council's [website](#).

Section 2: General information about the proposal

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010

The waiver application is for consideration at a Licensing Committee to waive the requirement for a Sexual Entertainment Venue Licence for 110 Pennington Street, London E1 8EW. This relates to external promoters holding events at the venue, which are for queer, kink and fetish communities. These events may involve the wearing of clothing such that parts of the anatomy are on display, such as, but not limited to, breasts, nipples, buttocks.

The waiver is sought because these events may fall within the definition of relevant entertainment under the Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

The Licensing Committee is required by the above Act and its own Terms of Reference to consider this application and decide whether to grant or not.

The Licensing Committee has to consider the application in line with the Council's Terms of Reference, Hearing Regulations, the Act and other relevant legislation, associated Guidance, as well as our Internal Sexual Entertainment Policy.

Section 3: Evidence (consideration of data and information)

What evidence do we have which may help us think about the impacts or likely impacts on residents, service users and wider community?

A previous application to vary the Premises Licence for this venue, to remove a condition that prevented nudity or semi nudity, received a number of

representation in support of the venue and removal of the condition. The minutes of this hearing and associated documents can be found here:

<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CIId=366&MID=13241#A1134114>

That said this application must be considered by the Licensing Committee in line with the Councils Terms of Reference, Hearing Regulations, the Act and associated Guidance, as well as our Internal Sexual Entertainment Policy.

Section 4: Assessing the impacts on different groups and service delivery

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Protected				
Age (All age groups)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Disability (Physical, learning difficulties, mental health and medical conditions)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Events can still take place, but Relevant Entertainment cannot take place.
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Religion or philosophical belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Events can still take place, but Relevant Entertainment cannot take place.
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other				
Socio-economic	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parents/Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
People with different Gender Identities e.g. Gender fluid, Non-Binary etc	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Events can still take place, but Relevant Entertainment cannot take place.
Any other groups	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Section 5: Impact analysis and action plan

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Update on progress
<p>Committee must consider this application to waive the need for a Sexual Entertainment Venue Licence.</p> <p>Legal Officer will be present to ensure the hearing and any decision made is in line with relevant legislation, government guidance and Council Policies.</p> <p>Licensing to seek views from Tower Hamlets Equalities Hub in regards to if there is any impact on protected characteristics</p>	<p>Licensing Committee Hearing on 10th January 2023</p> <p>Views requested by 3rd January 2023</p>	<p>Contact Tower Hamlets Equalities Hub by 21st December. Provide any comments made to Applicant and Licensing Committee by 5th January 2023</p>	<p>Kathy Driver</p>	<p>5th January 2023</p>

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Section 6: Monitoring



What monitoring processes have been put in place to check the delivery of the above action plan and impact on equality groups?

None. Formal Process for Committee hearings processed by Democratic Services.

Licensing Team Leader will check any views received have been sent to Democratic Services and Applicant by 5th January 2023.

Appendix A

EIA decision rating

Decision	Action	Risk
<p>As a result of performing the EIA, it is evident that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a Protected Characteristic under the Equality Act and appropriate mitigations cannot be put in place to mitigate against negative impact. It is recommended that this proposal be suspended until further work is undertaken.</p>	<p>Suspend – Further Work Required</p>	<p>Red</p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, there is a genuine determining reason that could legitimise or justify the use of this policy.</p>	<p>Further (specialist) advice should be taken</p>	<p>Red Amber</p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negatively impact (as described above) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, this risk may be removed or reduced by implementing the actions detailed within the <i>Impact analysis and action plan</i> section of this document.</p>	<p>Proceed pending agreement of mitigating action</p>	<p>Amber</p> 