

Full Equality Analysis

Section 1 – General Information

Name of policy or function:

Sexual Entertainment Venues Policy

Business Unit:

CLC, Safer Communities, Consumer and Business Regulations

Is this a policy or function?

Policy with associated licensing functions

Is this a new or existing policy or function?

New

Is the policy or function strategic, developmental or operational/functional?

Operational/Functional

Date when the original policy/function was initiated: N/A

Date on which the policy/function is to be reviewed: Cabinet tbc

Names and roles of the people carrying out the Equality Analysis:

Oscar Ford: Strategy & Business Development Manager (CLC Equalities Lead)
David Tolley: Head of Consumer and Business Regulations Service (CLC)
Frances Jones: OneTower Hamlets Service Manager (Scrutiny & Equality)

Section 2 – Aims and Objectives

What are the aims, objectives or purpose of the policy/function?

Legislation gives local authorities the opportunity to control SEV's. The legislation was drafted to allow communities to have a say about whether sex establishments should be allowed to operate in their community and it gives the local authority the power, through its licensing policy arrangements, to determine limits on numbers and localities.

The Council's draft Sex Establishment Policy was developed with "One Tower Hamlets" as a key part of its rationale and it is drafted to establish a clear and unambiguous position on Sexual Entertainment Venues.

What are the main activities of the policy/function?

The policy establishes a cap on the total number of SEV premises that will be licensed, and it provides a basis for agreeing or refusing licenses with reference to:

- The suitability of any given location
- The management of the establishment
- The conduct within, and in the vicinity of (i.e., associated with) the establishment.

The policy includes both statutory and discretionary conditions that protect performers and help control the management of the premises.

Who is expected to benefit from the policy/function?

The policy affects the whole borough and potentially everyone that lives in, works in or visits the area and whom might be affected by the existence and operation of sexual Entertainment Venues in the locality. It has particular relevance for people who own, work in or frequent SEV's.

The policy is based on a consideration of the potential impact of SEV's on these groups as well as the wide community and is aimed at ensuring that any negative impacts on individuals or the community that might arise as a consequence of the operation of SEV's are minimised or negated.

Section 3 – Consideration of data and research Identifying Differential / Adverse Impacts

Question -

A policy/function can aim to treat all people fairly but unless you analyse data and stats and speak to the people it is going to affect how do you really know?

Evidence Base -

For each of the equality strands in the table below please now **evidence** how you came to the conclusions around differential and negative impacts in relation to the policy or function.

Please use the evidence prompts below to form an evidence base to justify your claims around differential impacts. If there is limited evidence we **strongly recommend** undertaking consultation

Please note – during consultation, if you identify a differential impact it may be advantageous to discuss whether this impact is also negative and record your findings accordingly. If no differential impact is identified there will be NO negative impact.

Evidence Prompt

1 List all qualitative and quantitative evidence

List all examples of quantitative and qualitative data available

(include information where appropriate from other directorates, Census 2001 etc)

- Tower Hamlets Community Plan.
- Tower Hamlets Crime & Drug Reduction Partnership Plan.
- Tower Hamlets Enforcement Policy.
- Tower Hamlets Core Strategy.
- TowerHamletsTown Centre Spatial Strategy.
- Tower Hamlets Statement of Licensing Policy (Licensing Act 2003).
- Tower Hamlets Statement of Licensing Policy (Gambling Act 2005).

2 Equalities profile of users or beneficiaries

Use the Council's approved diversity monitoring categories and provide data by target group of users or beneficiaries to determine whether the service user profile reflects the local population or relevant target group or if there is over or under representation of these groups

The current premises that are offering some form of sexual entertainment are:

NAME	ADDRESS
THE BEEHIVE	104-106 Empson Street, London, E3 3LT
EONE CLUB	168 Mile End Road, London, E1 4LJ
NAGS HEAD PUBLIC HOUSE	17-19 Whitechapel Road, London, E1 1DU
THE PLEASURE LOUNGE	234 Cambridge Heath Road, London, E2 9NN
WHITE SWAN	556 Commercial Road, London, E14 7JD – LGB venue
ASTON'S CHAMPAGNE AND WINE BAR BASEMENT & 1ST FLOOR	187 Marsh Wall, London, E14 9SH
CLUB PAISA	28 Hancock Road, London, E3 3DA
OOPS	30 Alie Street, London, E1 8DA
WHITE'S GENTLEMANS CLUB	32-38 Leman Street, London, E1 8EW
SECRETS	43-45 East Smithfield, London, E1W 1AP
IMAGES	483 Hackney Road, London, E2 9ED

3 Equalities profile of staff

Indicate profile by target groups and assess relevance to policy aims and objectives e.g. Workforce to Reflect the Community. Identify staff responsible for delivering the service including where they are not directly employed by the council.

4 Barriers

What are the potential or known barriers to participation for the different equality target groups? Eg, communication, access, locality etc

5 Recent consultation exercises carried out

Detail consultation with relevant interest groups, other public bodies, voluntary organisations, community groups, trade unions, focus groups and other groups, surveys and questionnaires undertaken etc. Focus in particular on the findings of views expressed by the equality target groups. Such consultation exercises should be appropriate and proportionate and may range from assembling focus groups to a one to one meeting.

The Consultations carried out involved Legal Submissions, Focus Groups and questionnaires. The following background of respondents was reviewed.

Gender	Number of Responses	Percentage of responses
Male	1,026	23.8%
Female	2,203	51.3%
Transgender	12	0.3%
Prefer not to say	113	2.6%
Not stated	948	22.0%

Age	Number of Responses	Percentage of responses
12-19	120	2.8%
20-25	519	12.1%
26-34	1,028	23.9%
35-43	742	17.2%
44-52	454	10.6%
53-59	206	4.8%
60-64	96	2.2%
65+	104	2.4%
Prefer not to say	115	2.7%
Not stated	918	21.3%

Ethnicity	Number of Responses	Percentage of responses
Asian or Asian British	1,467	34.0%
Black or Black British	154	3.6%
Mixed/Dual Heritage	128	3.0%
White	1,201	28.0%
Other	0	0.0%
Prefer not to say	312	7.2%
Not stated	1,040	24.2%

Religion	Number of Responses	Percentage of responses
None	558	13.0%
Buddhist	40	0.9%
Christian	616	14.3%
Hindu	32	0.7%
Jewish	43	1.0%
Muslim	1,286	29.9%
Sikh	27	0.6%
Other faith	76	1.8%
Prefer not to say	542	12.6%
Not stated	1,082	25.2%

Disability	Number of Responses	Percentage of responses
Yes	136	3.2%
No	2,577	59.9%
Prefer not to say	351	8.2%
Not stated	1,238	28.8%

Sexual Orientation	Number of Responses	Percentage of responses
Bisexual	147	3.4%

Gay man or lesbian/gay woman	161	3.7%
Heterosexual	2,123	49.3%
Other	579	13.5%
Not stated	1,292	30.0%

6 Additional factors which may influence disproportionate or adverse impact

Management Arrangements - How is the Service managed, are there any management arrangements which may have a disproportionate impact on the equality target groups?

7 The Process of Service Delivery

In particular look at the arrangements for the service being provided including opening times, custom and practice, awareness of the service to local people, communication

The Sexual Entertainment Policy covers the detail of how to apply etc,

Please Note -

Reports/stats/data can be added as Appendix – Please send any reports/consultation findings/data and stats to the One Tower Hamlets team

Target Groups	Impact – Positive or Adverse	Reason(s)
Race	Positive	<ul style="list-style-type: none"> • Please add a narrative to justify your claims around impacts and, • Please describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making • Can the negative impact be justified on the grounds of promoting equality? <p>The consultation response identifies distinct differences in views between people of different racial backgrounds. 74% of Asian/Asian British respondents were in favour of a total Nil policy, whereas 72% of Black/Black British respondents, 90% of Mixed/Dual Heritage respondents and 76% White respondents were against the proposed nil policy.</p>
Disability	Neutral	
Gender	Positive	<p>Just under half of female consultation respondents (47%) were supportive of the ‘Nil’ policy proposal. Research findings from another Borough indicate that women may in particular avoid areas around to SEV’s at night. A broader consideration is the impact that SEV’s may have on attitudes towards women through the ‘normalisation’ of male-oriented sexual entertainment and the encouragement or reinforcement of sexist attitudes. In the Borough we are not aware of people trafficking and that performers work in venues freely. Personal incomes would be affected if premises closed. The organisations OBJECT (a human rights organisation specifically set up to challenge the sexual objectification of women) and CAPE (Communities Against People Exploitation) presented written responses to the consultation supporting a nil policy on the basis that SEV’s have a negative impact on the safety of women. OBJECT argued associations with prostitution and trafficking, along with the negative impact on attitudes towards women and the negative impact on aspirations of young women and girls as key drivers for their support.</p>
Gender Reassignment	Neutral	

Sexual Orientation	Potential adverse	Consultation response from the local LGBT community forum Rainbow Hamlets highlighted a potential detrimental effect that might arise should a Nil policy be implemented, identifying an existing establishment as having a positive impact on community cohesion, especially amongst the LGBT community. By establishing a policy position that allows existing operations to continue, there is no immediate adverse impact on this group*.
Religion or Belief	Positive	The consultation response identifies distinct differences in views between people of different religious backgrounds. 82% of Muslim respondents were in favour of a total Nil policy, whereas 81% of Christian respondents and 75% of those who said they had no religious belief were against a nil policy.
Age	Neutral	
Socio-economic	Potential adverse	SEV's are businesses and any policy or licensing decision that results in the cessation of an existing operation would have economic consequences for employees and the self-employed persons who work at the venues. Actual numbers and backgrounds are not known, however the nature of the establishments means that adverse economic impact would specifically fall upon female performers and their economic dependents. By establishing a policy position that allows existing operations to continue, there is no immediate adverse impact on this group*.
Marriage and Civil Partnerships.	Neutral	
Pregnancy and Maternity	Neutral	
Other inc staff	Potential adverse	The introduction of more stringent licensing policy and conditions is likely to require additional monitoring, evidence gathering and enforcement action to be undertaken by council staff. Appropriate training and support should be provided to protect staff engaged in these areas from any adverse impacts.

Section 4 – Conclusions and Recommendations

Is there any evidence of or view that suggests that different equality or other target groups have a disproportionately high/low take up of the service/function?

Yes

If yes, please detail below how evidence influenced and formed the policy? e.g. why things were added/removed.

O&S review findings
Consultation on adopting the policy
Campaign group responses
Consultation response from Rainbow Hamlets
Consultation on adopting the legislation
Employment issues
Human Rights issues

Does the policy/function comply with equalities legislation?

Yes

If there are gaps in information or areas for further improvement, please list them below:

Research in relation to SEV's is inconclusive as to the impact of the establishments on protected groups.

How will the results of this Equality Analysis feed into the performance planning process?

The SEV project and this associated EA have been incorporated into the Service Plan for Business Regulation and Consumer Protection along with appropriate measures and milestones for delivery, performance monitoring and review.

Section 5 – Action Plan and Monitoring Systems

*As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention.*

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
Example				
1. Better collection of feedback, consultation and data sources	1. Create and use feedback forms. Consult other providers and experts	1. Forms ready for January 2010 Start consultations Jan 2010	1.NR&PB	
2. Non-discriminatory behaviour	2. Regular awareness at staff meetings. Train staff in specialist courses	2. Raise awareness at one staff meeting a month. At least 2 specialist courses to be run per year for staff.	2. NR	

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
Further consideration of equalities impacts on protected groups are recommended in situations where licensing decisions are due to be taken that could result in removal of that license.	Undertake EA's to accompany applications for SEV licences as and when these are presented to the Licensing Committee	Target dates are dependent upon license expiry and application dates.	David Tolley	
Appropriate training and support should be	Service Plan and PDR process actions	Service Plan and PDR cycle	David Tolley	

provided to protect staff engaged in these areas from any adverse impacts.				
Maintain ongoing review of SEV related research	Continue to monitor research to further inform analysis of equalities impacts	Ongoing	David Tolley	

Have monitoring systems been put in place to check the implementation of the policy/function and recommendations?

Yes

How will the monitoring systems further assess the impact on the equality target groups?

A set of operating conditions form an intrinsic part of the Policy and associated licensing controls. These include controls that have been specifically designed to improve protection of the public in external areas and performers inside the establishments. Breaches of these conditions (and therefore likely to have a negative impact on protected groups) will result in the implementation of enforcement controls and any breaches will form part of the material considerations for the Licensing Committee at the point at which applications for licence renewals are considered and determined.

Section 6 – Completed Equality Analysis

The draft Equality Analysis will be peer assessed and recommendations made (if needed)

Once any recommendations have been made to the equality analysis – it will be sent back to the author to be signed off by the relevant service head/manager. The equality analysis will then be sent to the One Tower Hamlets Team to be published on the council website.

Name: (signed off by)	
Position:	

Date signed off: (approved)	

Section 7 Appendix – FOR OFFICE USE ONLY

This section to be completed by the One Tower Hamlets team

Policy Hyperlink:

Equality Strand	Evidence
Race	
Disability	
Gender	
Sexual Orientation	
Religion and Belief	
Age	
Socio-Economic	
Other	

Link to original EQIA	Link to original EQIA
EQIAID (Team/Service/Year)	