

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

Under the Equality Act 2010 Protected characteristics are Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity.	
Name of policy, service or function. If a policy, list any associated policies:	Adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 relating to 'sexual entertainment venues'
Name of service and Directorate	Community Safety and Street Scene, Regeneration and Environment
Lead manager	Lewis Coates
Date of Equality Analysis (EA)	21/02/2019
Names of those involved in the EIA (Should include at least two other people)	Alan Pogorzelec; Chris Burnett
Aim/Scope	
<p>Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act') was amended by Section 27 of the Policing and Crime Act 2009, which classified lap dancing clubs and the like, as 'sexual entertainment venues' within the definition of 'sex establishments' found in the 1982 Act.</p> <p>This amendment is only available to Councils where the provisions are formally adopted. Home Office guidance highlights that public consultation on the adoption of the powers is not statutorily required but that it is good practice to seek public views.¹</p> <p>Currently, lap dancing or similar activity in Rotherham is licensed and regulated under a premises licence issued under the Licensing Act 2003. This arrangement does not provide for sufficient regulation of licences or for appropriate conditions being included in those licences.</p> <p>In December 2018, the Council requested that a public consultation be undertaken to understand the view of local communities in respect of the Council adopting these powers.</p> <p>The subsequent consultation began on 19th December 2018 and ended on 20th February 2019.</p> <ul style="list-style-type: none"> • Lap dancing • Pole dancing • Table dancing • Strip shows • Peep shows and • Live sex shows <p>The recommendation to Cabinet is to ask full Council to resolve to adopt these powers to better enable the Council to regulate and licence such establishments.</p>	
What equality information is available? Include any engagement undertaken and identify any information gaps you are aware of. What monitoring arrangements	

¹ Home Office, Sexual Entertainment Venues: Guidance for England and Wales, 2010, 3.8

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have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?

The adoption of the powers has been subject to full public consultation between 19th December 2018 and 20th February 2019. The consultation was designed in order to ensure a degree of anonymity for respondents.

The provisions to be adopted specifically relate to ‘sexual entertainment venues’ within the meaning of ‘sex establishments’, to better regulate and licence establishments where there is some potential for the exploitation of vulnerable individuals.

The adoption of powers will better enable the Council to regulate the conditions within such establishments including the working conditions of those employed in the industry.

Engagement undertaken with customers. (date and group(s) consulted and key findings)

The adoption of the powers has been subject to full public consultation between 19th December 2018 and 20th February 2019.

Key stakeholders that were consulted included:

- Residents
- Business
- Religious Groups
- Women’s Interest Groups
- Industry Workers
- Charities
- Others

The consultation elicited the return of 422 responses, with a clear majority of respondents strongly agreeing or agreeing with the proposal for the Council to adopt the amended powers.

- 77.01% (325 responses) strongly agreed or agreed with the Council’s proposals
- 4.97% (21 responses) neither agreed or disagreed with the Council’s proposals
- 16.82% (71 responses) disagreed or strongly disagreed with the Council’s proposals
- 1.18% (5 responses) did not provide a view

From the responses it is clear that there is a public

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	<p>desire to adopt powers to improve the licencing and regulation of 'sex establishments' including 'sexual entertainment venues'.</p>
<p>Engagement undertaken with staff about the implications on service users (date and group(s) consulted and key findings)</p>	<p>The adoption of powers has little impact on staff and is likely to impact on only one service user who has been consulted as part of this exercise.</p> <p>There is potential for the single service user to be adversely affected by the new regulatory and licensing regime. The service user is a business owner who operates the only premises that might be classed as a 'sexual entertainment venue'. However, there is likely to be an equally positive impact on workers in the industry and residents, in particular women.</p>
<p>The Analysis</p>	
<p>How do you think the Policy/Service meets the needs of different communities and groups?</p> <p>A good number of responses to the consultation included comments expressing individual fears of harassment in such locations, the image of Rotherham, previous exploitation history associated with the town, and concerns relating to the exploitation and devaluation of women.</p> <p>It is anticipated that the adoption of the provisions to better regulate and licence such establishments will mitigate some of these fears and concerns.</p>	
<p>Analysis of the actual or likely effect of the Policy or Service: Does your Policy/Service present any problems or barriers to communities or Group? Does the Service/Policy provide any improvements/remove barriers?</p> <p>It is anticipated that the adopted powers will enhance individual, and in particular, women's, sense of safety and risk of harassment. In addition, it is expected that the adoption of powers, subject to the development of a complimentary Policy, will provide for effective regulation of working conditions within the industry.</p> <p>It is likely that some mitigation will be provided for fears associated with the night time economy and in particular those fears associated with the clientele of this type of establishment.</p> <p>What affect will the Policy/Service have on community relations?</p> <p>It is anticipated that the adoption of the powers will have a positive impact on communities; in particular providing a positive response to the expressed desires from the consultation of residents, women's groups and religious organisations, to better regulate and licence this sort of establishment.</p>	

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Please list any **actions and targets** by Protected Characteristic that need to be taken as a consequence of this assessment and ensure that they are added into your service plan.

Website Key Findings Summary: To meet legislative requirements a summary of the Equality Analysis needs to be completed and published.

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Equality Analysis Action Plan

Time Period 2019/2020

Manager: Tom Smith

Service Area: Community Safety and Street Scene

Tel: 01709 822902

Title of Equality Analysis:

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic.

List all the Actions and Equality Targets identified

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)				
Monitor the impact of the adoption of the powers should they indeed be adopted	A, D, S, GR, RE, RoB, SO, C	July 2019				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="98 1129 687 1203">Name Of Director who approved Plan</td> <td data-bbox="687 1129 1285 1203">Paul Woodcock</td> <td data-bbox="1285 1129 1668 1203">Date</td> <td data-bbox="1668 1129 2024 1203"></td> </tr> </table>			Name Of Director who approved Plan	Paul Woodcock	Date	
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***A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups**

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Website Summary – Please complete for publishing on our website and append to any reports to Elected Members SLT or Directorate Management Teams

Completed equality analysis	Key findings	Future actions
<p>Initial web-based assessment undertaken prior to proposed decision.</p>	<p>Potential positive impacts on local communities, women, younger people and children, and faith groups have been identified.</p> <p>The potential to limit the impact of sex establishments on the character or amenity of local areas, will limit the impact of such establishments on women, young people, different communities and faiths.</p> <p>The potential to regulate sex establishments employment practices through a policy, also has potential positive impacts on the women working within these establishments.</p> <p>The initial assessment is that there is unlikely to be any direct positive or negative impact on other protected groups, such as the LGBT+ community, pregnant women, civil partnerships or marriage, carers, or other groups.</p>	<p>To undertake thorough and robust monitoring of the adoption of schedule 3 of the 1982 Act to fully assess any potential equality and diversity impacts.</p>