



EQUALITY IMPACT ASSESSMENT

Partial Assessment Form

Policy, practice, function or project assessed	Sexual Establishments Policy
Lead Officer	Myles Bebbington
Team	Licensing
Start date of assessment	01/12/10
Completion of assessment	14/01/11

Please use this form to record your findings in relation to the assessment of an existing policy, function, service or practice.

A. POLICY, PRACTICE, FUNCTION OR PROJECT TO BE ASSESSED

A1. Please describe what are the main aims, objectives, purpose and intended outcomes of the policy or function?

The overarching objectives of the policy are to;

- Promote the Authority's visions and values
- Protect the rights and health and safety of the general public, workers, residents, small businesses, minority and vulnerable groups, and
- To ensure consistent and transparent decision making within the legal framework

The policy will guide South Cambridgeshire District Council when considering applications for sex establishment licences and help to ensure that consistent and transparent decisions are made when determining applications. The Policy aims to close previous loopholes in the law by ensuring that those establishments conducting a business involving sexual entertainment can be properly recognised and licensed accordingly. Legislation does not require South Cambridgeshire District Council to adopt a policy, however the Authority takes the view that to ensure best practice and high standards within premises and the industry generally that a Policy is a necessary reference tool for officers, applicants, premises users and the general public. The Policy gives guidance on what expectations are placed upon premises and what conditions must be adhered to, it also clarifies the position on accepting comments (regarding applications) made by the general public and summarises the procedures in place to be followed by the Authority in the process of determining applications.

A2. Is this policy or function associated with any other Council policy or priority?

- Safeguarding children and protection of vulnerable adults
- Equality and Diversity
- Crime Reduction Partnership

A3. Who are the intended beneficiaries/stakeholders of the policy or function? How many people are affected and from what sections of the community?

- General public – those persons using local amenities or tourists visiting areas affected by the presence of a sex establishment
- Workers – to protect those people working within an establishment of this nature, by ensuring premises are managed well and by individuals not connected to crime.
- Residents – to protect and understand the needs of those persons working and living in the vicinity of proposed sex establishments within our communities
- Small businesses – to consider the impact of licensed premises on small businesses in the areas with sex establishments.
- Minority and vulnerable groups
- Applicants for Sex Establishment licences

Key Stakeholders

- Cambridgeshire Constabulary
- Crime Reduction Partnership
- Parish Councils
- Local Residents
- Fire Authority

A4. Is the policy/function corporate and far-reaching?

Yes, the Policy relates to premises requiring licences within South Cambridgeshire only. The Policy is not a legislative requirement and will vary between authorities choosing to put a policy in place.

A5. Are you expecting to make any significant change to the policy or service in the near future? If so, please give details.

Not Anticipated – New Policy.

A6. Is this a new or existing policy or function?

New Policy, to support legislation already in place and to reflect legislative updates.

B. EVIDENCE/ DATA and CONSULTATION

It is important to consider all information that is available in determining whether the policy or function could have a differential impact. Please attach examples of monitoring information, research or consultation reports.

B1. What monitoring or other information do you have about relevant target groups, which will show the impact of the policy or function?

Users of the licensing function are surveyed for customer satisfaction.
Lalpac Database records valuable information, for example address information, gender of applicants and any associated complaints as a result of a licence being issued.
A full consultation process took place to gather the views and comments of relevant target groups. Att.

B2. Have you compared the data you have with the equality profile of the local population? What does it show?

No, as we are still in the process of entering new categories on Lalpac for monitoring purposes. i.e. race, religion.
No data available as no applications/representations/complaints made.

B3. Have you identified any improvements or other changes that could be made from monitoring the data?

Not at this point.

B4. Have you consulted or involved external stakeholders about the policy or function? If so, what were their views?

The following agencies were contacted as part of the consultation process for this policy;

- Cambridgeshire Constabulary
- SCDC Planning Services
- SCDC Environmental Health
- SCDC Equality and Diversity Officer
- Parish Councils
- Local Councillors
- Women's Aid (Cambridge)
- Choices Counselling for men
- Cambridgeshire Fire Authority

No comments received so far.

B5. Have you undertaken any consultation with staff to assess their perception of any impacts of the policy or function? If so, what has been learnt from them?

Yes – Legal and Equalities Officers/Council Members/Licensing Staff/Env. Health- consultation is public so everyone may comment.

B6. Please provide information about any other consultation, research, or involvement undertaken in relation to this impact assessment.

Home Office Guidance – Sexual Entertainment Venues (Guidance for England and Wales) was considered when writing the Policy.
Sex Licensing Philip Kolvin QC IOL 2010

C1. IMPACT OF THE POLICY OR FUNCTION

Assess the potential impact on each of the following protected characteristics. The impact could be negative, positive or neutral. If you assess a negative impact for any of the groups then you will need to assess whether that impact is low, medium or high. Refer to the evidence you use.

DESCRIPTION OF IMPACT	Nature of Impact (Positive, Neutral, Adverse)	Extent of Impact (Low, Medium, High)
AGE: Identify the potential impact of the policy or function on different age groups.	Positive	
<p>The policy and conditions will reflect the need to ensure that children and vulnerable adults are adequately protected from exposure to inappropriate images or articles. This policy actively discriminates against people under the age of 18 years old due to the nature of premises to be licensed.</p> <p>Mandatory conditions ensure that notices are erected to ensure that no person under the age of 18 are allowed to enter premises and that people under the age of 21 will be required to show proof of their age. Further restrictions on the external appearance of premises have been put in place in order to preserve and reflect the rural setting of any such establishment.</p>		
DISABILITY: Identify the potential impact of the policy or function on disabled people.	Neutral	
<p>The policy makes it clear from the outset that it should be read in conjunction with Disability Discrimination Act 1995 and premises will have to make any necessary arrangements to accommodate disabled customers.</p> <p>On request the policy can be made available in large print and Braille.</p> <p>The licensing officer will exercise discretion in accepting objections to applications made where persons are physically unable to put objections in writing.</p>		

GENDER REASSIGNMENT: Identify the potential impact of the policy or function on people that have changed gender identity.	Neutral	
Licensing services are available and accessible to all, furthermore this policy states that all cases for applications will be considered on their individual merits and does not discriminate by stating that patrons of premises should be a particular sex.		
MARRIAGE AND CIVIL PARTNERSHIPS: Identify the potential impact of the policy or function on people who are married or in a civil partnership.	Neutral	
Nothing in this policy has been identified as discriminatory on these grounds.		
PREGNANCY AND MATERNITY: Identify the potential impact of the policy or function on pregnant or maternal mothers and those women who wish to breastfeed.	Neutral	
Nothing in this policy has been identified as discriminating against pregnant or maternal mothers.		
RACE: Identify the potential impact of the policy or function on different ethnic groups, including national origins, colour and nationality.	Positive	
The policy and legislation aims to promote responsible management of premises. The Licensing Department will work closely with Cambridgeshire Constabulary and Crime Reduction Partnership to identify potential issues relating to the sex trafficking of individuals from abroad through regulation of premises and identification of particular groups employed within establishments.		
RELIGION/BELIEF: Identify the potential impact the policy or function on different religious/faith groups.	Neutral	
The authority recognises that this type of establishment may impact the beliefs of some groups more than others. The policy aims to minimise the impact of sex establishments on these groups by accepting the views and opinions of objectors without constraint of the subject matter within objections, and by the imposition of strict conditions regarding the external appearance of premises.		

SEX: Identify the potential impact of the policy or function on men and women.	Positive	
<p>The policy aims to ensure that the views of men and women living in areas where sex establishments operate are fully considered. The policy hopes to address any welfare issues by imposing the measures already mentioned above in order to protect the health and safety of men and women employed/involved or affected by sex establishments. The policy identifies the agencies that South Cambridgeshire District Council will work with in order to do this.</p> <p>Groups representing both the welfare of men and women were consulted with in drafting the policy.</p>		
SEXUAL ORIENTATION: Identify the potential impact of the policy or function on lesbian, gay men, bisexual or heterosexual people.	Neutral	
This policy does not discriminate against any individual or sexual orientation. The Policy gives the Licensing Officer discretion to refuse objections to applications that are considered to be malicious.		
OTHER CHARACTERISTIC SPECIFIC TO SOUTH CAMBRIDGESHIRE – RURALITY: Identify the potential impact of the policy or function on people who are rurally isolated.	Neutral	
This policy advises that applications will be considered on their individual merits.		

PLEASE NOTE: Following completion of the section above, if the nature of the impact is adverse then you may need to proceed to a full equality impact assessment. N/A

C2. Could you minimise or remove any adverse or potential impact that is high, medium or low significance, in advance of a full impact assessment? Explain how.

N/A

C3. Does the policy or function actively promote equal opportunities and good community relations? Or could changes be made so that it does so?

The policy aims to promote good community relations by ensuring that the views and interests of residents are represented and considered in decision-making processes. The policy reflects changes in the law to give residents more say over proposals to open certain types of sex establishment in their area. The policy also includes mandatory conditions to ensure that premises are well managed and maintained.

C4. Please provide any further information, qualitative or quantitative that does not fit into the questions but you feel has a likely impact on this assessment.

N/A

D. CONCLUSIONS			
D1. Was there sufficient data to complete the partial assessment?	Yes?	<input checked="" type="checkbox"/>	If “NO”, what arrangements are in place for evidence gathering and continuing with the assessment?
	No?	<input type="checkbox"/>	
D2. Is the outcome of the partial assessment that the	Yes?	<input type="checkbox"/>	If “YES”, will you proceed to a full assessment? If so, what arrangements are in place to carry out the full assessment?

<p>policy or function would have an adverse impact (medium or high impact) on one or more target group?</p>	<p>No?</p>	<p>×</p>	
<p>D3. Is the outcome of the partial assessment that the policy or function would have a neutral or positive impact on equalities?</p>	<p>Yes?</p>	<p>×</p>	<p>If “YES”, have you included proposals in the Action Plan to further improve the impact of the policy or function on equalities? NO</p> <p>Do you plan to review the service or policy again in future to assess whether there has been any change? If so, when?</p>
	<p>No?</p>	<p>×</p>	<p>Yes 12 months.</p> <p>Has the Equalities Steering Group and the Consultative Forum reviewed the assessment? If so what were their comments?</p>
<p>D4. Do you have any other conclusions/outcomes from the partial assessment?</p> <p>None.</p>			

ACTION PLAN for enhancing existing practice

Recommendation/ issue to be addressed	Planned Milestone	Planned completion of milestone (date)	Officer Responsible	Progress
Review consultation comments	1 st March 2011			

RESOURCES

Does the above action plan require any additional resources?

ARRANGEMENTS FOR MONITORING

Please give your plans for monitoring the achievement of the above actions.

SIGN OFF: The officers below confirm that this partial assessment has been completed in accordance with the Council's guidance

Signature of Lead Officer

Date:

Signature of Corporate Manager or Chief Officer:

Date:

Please retain the original form on your service area and return a copy of the completed form to the Equality & Diversity Officer.