

## **LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS**

Sex Establishment licensing policy and the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009)

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### **SCOPE OF PROPOSAL**

1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?

#### **1 (a) Organisation and Staffing**

The aim of the Policy is to control the number of sex establishments in the Borough. The policy will be implemented by using existing officers within the service.

#### **1 (b) Services to the Community**

The Policing and Crime Act 2009 (PCA09) created a new category of sex establishment, i.e. the "sexual entertainment venue". Section 2 of the Local Government (Miscellaneous Provisions) Act 1982 [LG(MPA)82] is amended by the PCA09 and provides for the adoption of the new provisions contained in schedule 3 of this Act. This allows the 'appropriate authorities' to control, by way of a licensing regime, sex establishments. PCA09 came into effect on 6th April 2010. Once schedule 3 has been adopted the LG(MP)A82 will prohibit anyone from using any premises as a sex establishment unless they have been granted a licence under that Act. It will no longer be possible to use a premises license under the Licensing Act 2003 for that purpose. The policy proposes to adopt Part 3.

The community will know the Policy and understand what the Council can do. There will be clarity for business

### **PEOPLE AFFECTED**

2. Which individuals and groups are likely to be affected by the activity?

#### **2 (a) Staff Individuals and Groups**

Over 70% of Council employees are local residents and could therefore be affected by the proposals as part of the community. Please refer to section 4 (b) for further information.

#### **2 (b) Community**

The whole community, including local businesses, could be affected. It is envisaged that the policy will protect vulnerable adults and children, young people, women and girls, and will significantly minimise the risk of exploitation of those groups. It may deter a small number of businesses but may enhance attractiveness of the Borough.

3. What data/information do you have about the people with 'protected characteristics' (age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation) or other socio-economic disadvantage (e.g. disabled and part-time workers, low income and/or lone parents (mothers and fathers), looked-after children, other vulnerable children, families and adults) among these individuals and groups? What information do you have about how they will be affected by the activity? Will you be seeking further information in order to assess the equalities impact of the activity? How is this information being used to influence decisions on the activity?

Information has been obtained using that held on the Havering Data intelligence hub. There is no information about the effect of sex establishments in Havering as we do not currently have any.

4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?

Havering residents don't like sex establishment premises and complain vociferously if there are any indications that one may open in the borough. The policy has been consulted on but there was little response however when there was a proposal to locate a sex type shop in the town centre there was petitions and concerted local action against the plans as reported in the Romford Recorder.

#### LIKELY IMPACT

5. Based on the collected data and information, what will be the likely impact of the activity on individuals and groups with protected characteristics or other socio-economic disadvantage?

##### 5 (a) Staff

None – Please refer to section 5 (b) for the impact on staff members who are local residents

##### 5 (b) Community

The policy has a recommendation that there are no sex establishment premises in Havering. It is envisaged that his policy will protect vulnerable children and adults and other protected groups such as women and girls, young people and residents with specific types of disabilities and will control any advertising for the premises.

6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?

##### 6 (a) Vulnerable children

The policy has a recommendation that there are no sex establishment premises in Havering. This will protect vulnerable children from access to this type of premises and will control any advertising for the premises.

##### 6 (b) Vulnerable adults

The policy has a recommendation that there are no sex establishment premises in Havering. This will protect vulnerable adults from access to this type of premises and will control any advertising for the premises.

## PREVENTING DISCRIMINATION

7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?

7 (a) Staff

None

7 (b) Community

While we recognise that the policy may deter a small number of businesses opening up, we believe that the benefits of having it in place far outweighs the potential loss of such new businesses. It is envisaged that the policy will protect vulnerable adults and children, young people, women and girls and will significantly minimise the risk of exploitation of those groups.

## PROMOTING EQUALITY

8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?

8 (a) Staff

Not applicable

8 (b) Community

Please refer to sections 5 (b) and 7 (b).

## SPECIFIC NEEDS

9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?

9 (a) Staff

If the policy is implemented, staff will be required to familiarise themselves with its content and comply with the policy. Relevant training will be provided, where required.

9 (b) Community

Please refer to section 5 (b) and 7 (b). The policy will be available to view on the Council website information will be provided on the licensing webpages. If there were any applicable businesses they would be written to, to explain the new policy.

## MONITORING AND REVIEW

10. Once implemented, how often do you intend to monitor the actual impact of the activity?

10 (a) Staff

The policy will be reviewed every 3 years. Complaints will be monitored on a regular basis.

10 (b) Community

The policy will be reviewed every 3 years. Complaints will be monitored on a regular basis.

SIGN OFF AND PUBLICATION

11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the council's website.

HEAD OF SERVICE

Name:

Date:

Signature: