

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Citizen's and Communities	Service area: Entertainment Licensing
Lead person: Susan Holden	Contact number: 0113 395 1863

1. Title:

Is this a:

Strategy / Policy

 Service / Function

 Other

If other, please specify

2. Please provide a brief description of what you are screening

The Sex Establishment Statement of Licensing Policy sets out the principles the council will use to exercise its functions under the Local Government (Miscellaneous Provisions) Act 1982 as amended. Applicants for sex establishment licences are expected to read the policy before making their application and the council will refer to the policy when making its decisions.

The first policy was adopted to come into effect in September 2011 and seven lap dancing clubs were granted licences under this policy. The Licensing Committee requested that the policy was reviewed to ensure it met the needs of the people of Leeds.

1. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	x	
Have there been or likely to be any public concerns about the policy or proposal?	x	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	x	
Could the proposal affect our workforce or employment practices?		x
Does the proposal involve or will it have an impact on <ul style="list-style-type: none">• Eliminating unlawful discrimination, victimisation and harassment• Advancing equality of opportunity• Fostering good relations	X X x	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

• **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The council's Licensing Committee formed a working group of licensing members and officers to review the policy, set of standard conditions and application forms.

During the development of the draft policy officers and licensing members invited views from organisations and people that had an interest in the licensing of sex establishments.

This included:

- Rosie Campbell, Researcher, University of Leeds
- Pauline Ellis, Equality Unit
- Rosie Robinson Boardman, OBJECT
- Arwen Strudwick, Domestic Violence Unit
- Sara Robertson, Child Friendly Officer
- Sgt Andrew Pollard, West Yorkshire Police (Child Sex Exploitation)
- Sgt Martin Mynard, West Yorkshire Police (City Centre NPT)

The working group considered the information provided by these groups and produced a first draft policy and set of conditions. Members of the working group undertook site visits to two of the lap dancing clubs at a time when the businesses would be operating. They were able to talk with the business managers, dancers and were able to view the premises including the private booths, welfare facilities, CCTV and main dance areas.

This work was undertaken over a period of six months with careful consideration given to equality, diversity and human rights at each step.

The working group decided that consultation was required with the people of Leeds to garner a local view on the location and numbers of lap dancing clubs. As discovered during the initial consultation and licensing processes there are two polarised views expressed about lap dancing clubs. The working group was aware that relying solely on a public consultation would only garner the views of these polarised groups. It was felt that utilising the Citizen's panel would produce a more accurate representation of the views of the people of Leeds and so a questionnaire was circulated to Citizen's Panel in January. This received over 1800 replies and enabled the working group to finalise a draft policy.

A final draft was produced and was provided for public consultation for 6 weeks. The council received 135 responses via the web form and in writing via email and letter. The working group considered these responses before producing the final policy, set of conditions and application forms/notices.

This document will be taken through the governance process, seeking approval from Executive Board. As this is an executive function the report will be available for call in by Resources and Council Services Scrutiny Panel.

- **Key findings**

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

West Yorkshire Police provided the information that sexual entertainment venues and sex shops do not give rise to concern in relation to reported crime. It was felt that the premises manage disorder in-house rarely allowing it to spill out onto the streets. The level of complaints to the Police about sex establishments is low.

The Domestic Violence Team were pleased that women's issues and gender inequalities had already been considered in the first draft of the policy. They discussed the tension between a policy which permitted sexual entertainment and the council's Violence Against Women Strategy and emerging prostitution strategy.

OBJECT discussed at length the social and ethical issues relating to entertainment predominantly performed by women for men.

The Equality Unit provided assistance with the drafting of the section on equality in the policy. They supported the review of the policy.

The site visits highlighted the issue regarding the fining of dancers, which can often be arbitrary and is often not recorded. Although the initial policy and conditions required the premises to maintain a fining register it became apparent that it is difficult to enforce this condition, as it is not known how many fines are issued without being recorded. As the fining procedures are isolated to the (predominantly male) managers fining the (predominantly female) dancers the working group included a condition which prohibits this practice. A paragraph inserted within the policy highlights that this is a gender inequality issue and for that reason is prohibited.

The site visits also highlighted concerns about the welfare of the female dancers, including safety issues relating to the covering of private booths and the supervision processes in place. This has led to the condition relating to coverings on private booths becoming more restrictive.

- **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

The working group felt that the existing conditions had worked well in some respects but in others the conditions were more vague and open to interpretation. In general the working group discussed each condition with Entertainment Licensing's Enforcement Team who highlighted a number of changes, but specifically those that relate to the coverings on private booths and the use of vehicles

A condition was inserted which prohibits the practice of fining. The working group felt that this practice unfairly targets female dancers and is applied in an arbitrary manner.

The Working Group carefully analysed their concerns about the use of private booths. The views of the working group mirrored those expressed during the initial development of the policy. The main concerns relate to the use of the booths for illegal sexual activities, and the safety of the dancers. The working group accepted that the current business model applied by the premises in Leeds relied on private booths and that this facility is expected by customers. The use of CCTV and supervision is already required by the standard conditions and the working group agreed that the enforcement of these conditions is a matter for

Entertainment Licensing enforcement officers. However there were concerns about the use of curtains and coverings to provide privacy to customers but which obscured the view of the staff supervising the booths. As a consequence the condition relating to coverings was changed to prohibit their use.

The working group accepted that the issue of sexual entertainment attracts two polarised views. The Citizen’s Panel was surveyed specifically to address this and to examine the views of the wider public of Leeds.

The working group carefully considered all the responses to the public consultation. As expected these highlighted the very polarised views of respondents who fall mainly into two groups – those for and those against. It was felt that the Citizen’s Panel survey provided a much more balanced and fair representation of the views of the people of Leeds. Therefore the public consultation did not provide any compelling reason to alter the draft policy.

5. If you are **not already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.****

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Nicola Raper	Section Head	24 th May 2013

7. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.

If this screening relates to a **Key Delegated Decision, Executive Board, full Council** or a **Significant Operational Decision** a copy should be emailed to Corporate Governance and will be published along with the relevant report.

A copy of **all other** screening’s should be sent to equalityteam@leeds.gov.uk. For record keeping purposes it will be kept on file (but not published).

Date screening completed	24 th May 2013
If relates to a Key Decision - date sent to Corporate Governance	26 th June 2013
Any other decision – date sent to Equality Team	

(equalityteam@leeds.gov.uk)	
-----------------------------	--