

Equality Impact Assessment Template – Policy, Function or Strategy

This document should be completed when a new policy, function or strategy is introduced or when a substantive change to an existing policy, function or strategy is recommended. This will ensure equality considerations are taken into account before a decision is made and the policy, function or strategy can be altered, if required.

1. Policy, function or strategy		
a.	Name/description of the policy, function or strategy ¹	Policy Statement on the Licensing of Sexual Entertainment Venues (“SEV Policy Statement”)
b.	Responsible organisation(s)/Lead Service	Legal and Democratic Services
c.	Lead Officer	Emma Peacock, Solicitor / Anne Sinclair, Legal Service Manager
d.	Date of Impact Assessment	21 March 2022
e.	Partners/other Services involved in the development of the policy, function or strategy	Police Scotland, Inverclyde Violence Against Women Partnership, HSCP and the Scottish Government
f.	Is the policy, function or strategy?	<input checked="" type="checkbox"/> New
		<input type="checkbox"/> Reviewed/Revised
g.	What is the purpose of the policy, function or strategy (include details of any new legislation which prompted the introduction of the policy, function or strategy or the substantive change to the policy, function or strategy)?	The policy statement sets out the Council’s guidance, application process and terms and conditions relating to the regulation of Sexual Entertainment Venues (“SEVs”) in Inverclyde. The Air Weapons and Licensing (Scotland) Act 2015 amended the Civic Government (Scotland) Act 1982 with the effect of removing adult entertainment from the scope of the Public Entertainment and Liquor licensing regimes. The Act introduced a new, separate licensing regime for SEVs. The regime is discretionary and it is for individual local authorities to determine whether to pass a resolution to licence SEVs in their area. The Council passed a resolution to license SEVs in

¹ Please attach details of the policy, function or strategy to this Template

		Inverclyde with effect from 9 June 2022. Section 45C of the 1982 Act requires local authorities to prepare a statement of their policy with respect to the exercise of their functions in relation to the licensing of sexual entertainment venues (a “SEV policy statement”).	
h.	What are the intended outcomes of the policy, function or strategy?	The intended outcome of the policy is to provide clarity and guidance to the public as to Inverclyde Council’s position regarding the licensing of SEVs.	
i.	Geographical area (Inverclyde-wide or a specific location)	Inverclyde-wide	
j.	Which parts of the Equality Duty will the policy, function or strategy impact on?	X	Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by The Equality Act 2010
		X	Advance equality of opportunity between people of different groups
		X	Foster good relations between people from different groups
k.	Will those who may be directly or indirectly affected by the policy, function or strategy be involved in its development?	Yes, a consultation was carried out between 23 November 2021 – 18 March 2022 seeking the views of a large number of community groups and organisations.	

2. Does the policy, function of strategy impact on:		
	Yes	No
a. Protected Characteristics under The Equality Act 2010: Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion and Belief; Sex; Sexual Orientation (see Section 3)	X	

b. Reducing inequalities of outcome caused by socio-economic disadvantage – Fairer Scotland Duty ² (see Section 6)	X	
c. Local Outcomes Improvement Plan (LOIP) 2017/22 ³ (see Section 7)	X	
d. Corporate Plan 2018/22 ⁴ (see Section 8)	X	
3. If 'Yes' is selected for any part of Section 2, please populate the other relevant Sections of this Template.		
4. If 'No' is selected for <u>every part</u> of Section 2, please state the reasons for this.		
Please sign below and email a copy of this Template to Karen Barclay, Corporate Policy Officer: karen.barclay@inverclyde.gov.uk.		
Signature:	Date:	

² [Fairer Scotland Duty: interim guidance for public bodies](#)

³ [Local Outcomes Improvement Plan 2017/22](#)

⁴ [Corporate Plan 2018/22](#) (agenda item 5)

3. Impact – Protected Characteristics

Which of the Protected Characteristics will the policy, function or strategy have an impact upon?

Protected Characteristic	Impact					Reasons/Comments
	Positive High	Positive Low	Neutral	Negative High	Negative Low	
Age		x				The licensing of SEVs and the creation of the SEV Policy Statement will assist in reducing violence against young women and girls and the exploitation of young women and girls. The licensing of SEVs and the creation of the SEV Policy Statement will also ensure that young people under the age of 18 years shall not be admitted into SEVs and that applications will be refused where the applicant is under the age of 18 years.
Disability			x			
Gender Reassignment			x			
Marriage and civil partnership			x			
Pregnancy and maternity			x			
Race			x			

Religion and belief		x				Local churches and religious organisations were consulted regarding the licensing of SEVs in Inverclyde and the creation of an SEV policy statement. None of these organisations have expressed support for SEVs in Inverclyde.
Sex	x					The licensing of SEVs, along with the development of a policy statement regarding the licensing of SEVs, will assist in reducing violence against women and girls and the exploitation of women and girls.
Sexual orientation			x			
Other groups to consider • Carers			x			

4. Which parts of the Equality Duty will the policy, function or strategy have an impact upon?	
X	Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
X	Advance equality of opportunity between people from different groups
X	Foster good relations between people from different groups

5. Impact – groups
From the information you have highlighted above, describe the positive and negative impacts and the groups affected under The Equality Act 2010.

<p align="center">Positive impacts + (Describe groups affected.)</p>	<p align="center">Negative impacts - (Describe groups affected.)</p>
<p><u>Age</u>: The licensing of SEVs and the creation of the SEV Policy Statement will assist in reducing violence against young women and girls and the exploitation of young women and girls. The licensing of SEVs and the creation of the SEV Policy Statement will also ensure that young people under the age of 18 years shall not be admitted into SEVs and that applications will be refused where the applicant is under the age of 18 years.</p> <p><u>Sex</u>: The creation of a policy statement regarding the licensing of SEVs will have a positive impact regarding the reduction of violence against women and girls and exploitation of women and girls.</p> <p><u>Religion and Belief</u>: The local churches and religious organisations which have been consulted on SEVs have not shown support for SEVs in Inverclyde.</p>	

6. Impact – Fairer Scotland Duty

What impact will this policy, function or strategy have on reducing inequalities of outcome caused by socio-economic disadvantage?

<p align="center">Positive impact +</p>	<p align="center">Neutral impact =</p>	<p align="center">Negative impact -</p>
<p align="center">X</p>		

Briefly describe how the policy, function or strategy will impact on reducing inequalities of outcome.

The SEV Policy Statement will assist in reducing inequalities faced by vulnerable women and girls, who are more likely to be exploited by the sex industry. By licensing SEVs in Inverclyde, and creating an SEV Policy Statement in this regard, the Council can ensure the regulation of SEVs in Inverclyde and in turn safeguard the interests of women who may work in SEVs.

7. Impact – LOIP 2017/22

Which Priority/Priorities from the LOIP 2017/22 will this policy, function or strategy impact on?

<input type="checkbox"/>	1. Population: Inverclyde's population will be stable and sustainable with an appropriate balance of socio - economic groups that is conducive to local economic prosperity and longer term population growth
<input type="checkbox"/>	2. Inequalities: There will be low levels of poverty and deprivation and the gap between the richest and poorest members of our communities will be reduced (This may already have been highlighted at Section 6.)
X	3. Environment, culture and heritage: Inverclyde's environment, culture and heritage will be protected and enhanced to create a better place for all Inverclyde residents and an attractive place in which to live, work and visit
X	4. The local economy: Inverclyde has a thriving and diverse local economy, economic activity is increased and skills development enables both those in work and those furthest from the labour market to realise their full potential

Briefly describe how the policy, function or strategy will impact on the LOIP Priority/Priorities.

Priority 3: The creation of an SEV Policy in Inverclyde will allow the licensing of SEVs to be regulated and will ensure that SEVs do not open in close proximity to schools and educational establishments, places of worship, residential areas, public buildings and tourist attractions etc. This will have the effect of protecting Inverclyde's environment and ensuring that Inverclyde remains an attractive place in which to live, work and visit.

Priority 4: It is possible that potential applicants may put forward the argument that an SEV could contribute to the local economy. However, the SEV Policy Statement recommends a nil policy and there are currently no SEVs in operation in Inverclyde.

8. Impact – Corporate Plan 2018/22

Which Priority/Priorities from the Corporate Plan 2018/22 will the policy, function or strategy impact on?

X	1. To promote Inverclyde, to both residents and visitors alike, as a great place to live, work and visit
<input type="checkbox"/>	2. To work collaboratively, to enable strong, connected and empowered communities, particularly in areas of deprivation, so that residents have influence and control over the things that matter to them
<input type="checkbox"/>	3. To grow the local economy in a way that creates opportunities for all our residents, including access to good quality jobs
<input type="checkbox"/>	4. To reduce the prevalence of poverty and, in particular, child poverty in our communities
X	5. To safeguard, support and meet the needs of our most vulnerable families and residents
<input type="checkbox"/>	6. To improve the health and wellbeing of residents so that people live well, and for longer
<input type="checkbox"/>	7. To protect and enhance our natural and built environment
X	8. To preserve, nurture and promote Inverclyde's unique culture and heritage
<input type="checkbox"/>	9. To deliver services that are responsive to community needs and are underpinned by a culture of innovation, continuous improvement and effective management of resources
<input type="checkbox"/>	10. To develop motivated, trained and qualified employees who deliver quality services that meet current and anticipated service needs

Briefly describe how the policy, function or strategy will impact on the Corporate Plan Priority/Priorities.

Priorities 1, 5 and 8: The creation of an SEV Policy in Inverclyde will allow the licensing of SEVs to be regulated and will ensure that SEVs do not open in close proximity to schools and educational establishments, places of worship, residential areas, public buildings and tourist attractions etc. This will have the effect of protecting Inverclyde's environment and culture and also promoting Inverclyde to residents and visitors as an attractive place to live, work and visit. The SEV Policy Statement, and the licensing of SEVs in Inverclyde, will also contribute towards the safeguarding of vulnerable women and girls, and the reduction in violence, trafficking and exploitation of women and girls in the area.

9. Evidence

What evidence do you have to help identify any potential impacts of the policy, function or strategy?

Note: Evidence could include information from consultations, surveys, the Citizens' Panel, focus groups, interviews, projects, user feedback, complaints, Officers' knowledge and experience, equalities monitoring data, publications, research, reports, and local and national groups.

Evidence	Details
Consultation/Engagement (including any carried out while developing the policy, function or strategy)	Various organisations and community groups have been consulted on the terms of the Council's draft SEV Policy Statement. Responses have been provided from Police Scotland and Inverclyde Violence Against Women Partnership, both organisations recognising that regulation by the Council of the licensing of SEVs will contribute towards the reduction of violence, trafficking and exploitation in connection with women and girls. The responses received to the consultation have informed the development of the policy.
Research	Many local authorities across Scotland have resolved to licence SEVs in their area and have developed an SEV Policy Statement. Various authorities across Scotland have set a nil policy after consultation with relevant stakeholders.
Officers' knowledge and experience (including feedback from frontline staff)	
Equalities monitoring data	

User feedback (including complaints)	
Stakeholders	
Other	
Are there information gaps and, if so, what are these?	

10. Consequences of analysis

What steps will you take in response to the findings of your analysis? Please select at least one of the following and provide a brief explanation.

a.	Continue development with no changes	<input type="checkbox"/>	
b.	Continue development with minor alterations	<input checked="" type="checkbox"/>	Legal and Democratic Services have drafted the SEV Policy Statement based on the Scottish Government Guidance and responses received to the consultation by Police Scotland and Inverclyde Violence Against Women Partnership. The draft SEV Policy Statement will require the approval of the General Purposes Board before the SEV Policy Statement can be finalised and published.
c.	Continue development with major changes	<input type="checkbox"/>	
d.	Discontinue development and consider alternatives (where relevant)	<input type="checkbox"/>	

How will the effect of the policy, function or strategy be monitored following implementation?

The Policy will be kept under review by Legal and Democratic Services and revised if appropriate.

When is the policy, function or strategy due to be implemented?

The licensing of SEVs in Inverclyde will come into effect on 9 June 2022.

When will the policy, function or strategy be reviewed?

The policy will be kept under review and revised if and when appropriate.

What resources are available for the implementation of the policy, function or strategy? Have these resources changed?

Costs will be contained within Directorate budgets.

11. Please use the space below to detail any other matters arising from the Equality Impact Assessment process, including what action could be taken to mitigate the impact of the policy, function or strategy.

The SEV legislation is related to the Scottish Government Policies:

- [Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls](#)
- [Human Trafficking and Exploitation Strategy](#).

The Council endorses the objectives of the above Policies. Additionally, the primary purpose of the SEV Policy Statement is to ensure that Inverclyde Council promotes those objectives in exercising its licensing functions.

Occasional use: There will be some occasions where a premises may not require to apply for an SEV licence. It is possible for premises to be used for “sexual entertainment” for a proposed event which does not exceed the duration of 24 hours as long as the premises have not been used for “sexual entertainment” on not more than three previous occasions in the past 12 months. This means that a fourth occasion within 12 months is permitted but any more than this would not be permitted.

Waivers: The Council can allow premises to book “sexual entertainment” without a licence. In exceptional circumstances, the Council can grant a Waiver if they consider that to require a Licence would be unreasonable or inappropriate.

Details of the Person(s) who completed the Assessment:

Name: Emma Peacock

Position: Solicitor, Legal and Democratic Services

Date: 21 March 2022

Authorised by:

Name: Iain Strachan

Position: Head of Legal and Democratic Services

Date: 31 March 2022

Thank you for your assistance with the completion of this task.

Please send a copy of the completed Template to Karen Barclay, Corporate Policy Officer at karen.barclay@inverclyde.gov.uk.