

## Community impact assessments – for services, policies and projects

### What is a community impact assessment?

A community impact assessment is an important part of our commitment to delivering better services for our communities. The form will help us find out what impact or consequences our functions, policies, procedures and projects have on our communities, as well as employees and potential employees.

By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of those groups of people who use (or don't / can't use) our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.

### Background

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| <b>Name of service / policy / project and date</b>   | <b>Licensing</b>  |
| <b>Lead officer</b>                                  | <b>Louis Krog</b> |
| <b>Other people involved in completing this form</b> |                   |

## Step 1 - About the service / policy / project

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| <b>What is the aim of the service / policy / project and what outcomes is it contributing to</b>           | The council's sexual entertainment policy review is part of the council's normal work to review and update policy. Regular policy reviews are necessary to ensure policy remains effective and up to date as a regulatory tool.  |
| <b>Who are the primary customers of the service / policy / project and how do they / will they benefit</b> | <p>The policy sets out the council approach to the regulation of sexual entertainment in Cheltenham as a whole. To this extent, every resident of the borough is affected to varying degrees. For example, the policy sets out where the council will permit the licensing of sexual entertainment venues and conversely where it will not.</p> <p>This policy also affects operators of sexual entertainment venues (SEV) as primary customers.</p>   |
| <b>How and where is the service / policy / project implemented</b>   | The policy will undergo political scrutiny through Cabinet, licensing committee and Council.   |
| <b>What potential barriers might already exist to achieving these outcomes</b>                             | <p>There are strong opinions on the provisions set out in the policy from both sides of the argument. There is strong opposition to sexual entertainment in Cheltenham and the council's role as licensing authority in this. There is equal recognition that Parliament has made it lawful to operate a sex establishment and that such businesses are a legitimate part of the retail and leisure industries.</p> <p>Within this context however, the Council does not take any moral stand in adopting this policy. It is this council's role as the licensing authority to administer the licensing regime in accordance with the law.</p> |

## Step 2 – What do you know already about your existing / potential customers

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| <b>What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information</b> | <p>Residents and business of Cheltenham regularly engage in the licensing process, mostly as objectors.</p> <p>The council has also undertaken a scrutiny session with key stakeholders to gather information and data to support and inform the most recent policy review.</p>                   |
| <b>What does it tell you about who uses your service / policy and those that don't?</b>   | The conclusion of the review process including the scrutiny session has led the council not to propose any substantial changes to the current policy position. The main objection to sexual entertainment in Cheltenham relates to primary legislation which is outside of the council's control. |
| <b>What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?</b>                            | See above.  |



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| <b>If not, who do you have plans to consult with about the service / policy / project?</b> | A more formal consultation will follow and this equality impact assessment will be updated accordingly at the conclusion of the consultation. |
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### Step 3 - Assessing community impact

How does your service / policy / project impact on different groups in the community?

| Group  | What are you already doing to benefit this group   | What are you doing that might disadvantage this group  | What could you do differently to benefit this group   | No impact on this group                     |
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| <b>People from black and minority ethnic groups</b>            |  |  |   | No direct or specific impact on this group. |
| <b>People who are male or female</b>                           | The council's policy is non-discriminatory. It does not restrict itself to specific gender or orientation. | <p>From consultation, the authority is aware that females in particular feel disadvantaged by the sexual entertainment and licensing of SEVs.</p> <p>This is manifested in both a general sense of feeling objectified and more specifically through feeling intimidated and unwelcome in the vicinity of licensed SEVs.</p> | <p>From experience of licensing SEVs since 2004 (when they were first formally regulated), there is confidence that the authority's policy is robust in addressing any disadvantage that may be caused to this group.</p> <p>A number of policy conditions have been tightened up to address some concerns raised through informal consultation including those relating to behaviour and duties on door and promotional staff and promotional activity in the vicinity of licensed SEVs.</p> |   |
| <b>People who are transitioning from one gender to another</b> |  |  |   | No direct or specific impact on this group. |
| <b>Older people / children and young people</b>                | Licensing policy gives particular attention and consideration to properties with sensitive                 | Exposure to sexual entertainment is inappropriate particularly for children and young  | From experience of licensing SEVs since 2004 (when they were first formally regulated), there   |   |



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|  | <p>uses or in sensitive locations including</p> <ul style="list-style-type: none"><li>a) The fact that the premises are sited in a residential area;</li><li>b) Whether the premises are sited near shops used by or directed at families or children, or on frontages frequently passed by the same;</li><li>c) Whether the premises are sited near premises or areas which are sensitive because they are frequented by children, young persons or families, including but not limited to educational establishments, leisure facilities such as parks, libraries or swimming pools, markets and covered markets.</li></ul> <p>The licensing policy also does not permit the licensing of SEVs in or in the vicinity of residential areas.</p> | <p>people. Whilst there are safeguards in place, children and young people may find themselves in the vicinity of licensed SEVs.</p> <p>Older people may feel intimidated and vulnerable around or in the vicinity of licensed SEVs.</p> | <p>is confidence that the authority's policy is robust in addressing any disadvantage that may be caused to this group. This is backed up by data.</p> <p>A number of policy conditions have been tightened up to address some concerns raised through consultation including those relating to the restriction on leafleting, promotional activity in the vicinity of licensed SEVs and review of the "relevant locality".</p> |  |
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|  | <p>A number of the council's standard licensing conditions address the potential exposure to sexual entertainment of this group including minimum age requirements, public notices, opening times and requirements relating to the appearance of SEV venues.</p> |   |   |   |
| <b>People with disabilities and mental health challenges</b>                         |  |   |   | No direct or specific impact on this group. |
| <b>People who have a particular religion or belief</b>                               | <p>Licensing policy gives particular attention and consideration to properties with sensitive uses or in sensitive locations including:</p> <p>a) Whether the premises are sited near properties which are sensitive for religious purposes.</p>                 | <p>The authority may (and have) granted licences for SEVs in the vicinity of properties which are sensitive for religious purposes.</p> | <p>Each application is referred to the authority's licensing committee who will take into consideration the full scope of issues before making decisions particularly in cases where the grant of the licence is contrary to policy.</p> <p>This includes full consideration of the opposing views and any mitigation.</p> <p>Full reasons are given for any decision and this is subject to legal challenge.</p> |   |
| <b>People who are attracted to their own sex, the opposite sex or to both sexes.</b> |  |   |   | No direct or specific impact on this group. |



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| <b>People who are married or in a Civil Partnership</b>      |   |   |   | No direct or specific impact on this group. |
| <b>People who are pregnant or who are on maternity leave</b> |   |   |   | No direct or specific impact on this group. |
| <b>Other groups or communities – Performers</b>              | The council's licensing policy, standard conditions and scrutiny of licence holders directly relates to the wellbeing and safeguarding of performers. | <p>There is an inherent risk for performers given the environment they operate in.</p> <p>This is not as a direct cause of anything the authority is responsible for but is within the authority's power to regulate.</p> | From experience of licensing SEVs since 2004 (when they were first formally regulated), there is confidence that the authority's policy is robust in addressing any disadvantage that may be caused to this group. This is backed up by data, for example, from Gloucestershire Constabulary on any reported crime, disorder and welfare. |   |

### Step 4 - what are the differences

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| <b>Are any groups affected in different ways to others as a result of the service / policy / project?</b>           | Yes – see above (Assessing community impact)   |
| <b>Does your service / policy / project either directly or indirectly discriminate?</b>                             | No for the reasons set out above (Assessing community impact)                                      |
| <b>If yes, what can be done to improve this?</b>  | N/A  |
| <b>Are there any other ways in which the service / project can help support priority communities in Cheltenham?</b> | Yes – see above (Assessing community impact > What could you do differently to benefit this group) |

### Step 5 – taking things forward

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| <b>What are the key actions to be carried out and how will they be resourced and monitored?</b> | <p>Formal consultation will follow and feedback will be taken into account prior to any decision on the authority's policy moving forward.</p> <p>No additional resource requirements have been identified.</p> <p>Performance and scrutiny of this policy will be undertaken through the authority's adopted processes and accountability in terms of decision making by officers and the Licensing Committee.</p> |
| <b>Who will play a role in the decision-making process?</b>                                     | Cabinet, Council, Licensing Committee and licensing officers (in accordance with delegation under the constitution).  |
| <b>What are your / the project's learning and development needs?</b>                            | None identified.  |
| <b>How will you capture these actions in your service / project planning?</b>                   | N/A   |