

General Equality Impact Assessment (EIA) Form

Support:

An [EIA toolkit](#), [workshop content](#), and guidance for completing an [Equality Impact Assessment \(EIA\) form](#) are available on the [EIA page](#) of the [EDI Internal Hub](#). Please read these before completing this form.

For enquiries and further support if the toolkit and guidance do not answer your questions, contact your Equality, Diversity, and Inclusion (EDI) Business Partner as follows:

- Economy, Environment and Culture (EEC) – [Chris Brown](#),
- Families, Children, and Learning (FCL) – [Jamarl Billy](#),
- Governance, People, and Resources (GPR) – [Eric Page](#).
- Health and Adult Social Care (HASC) – [Zofia Danin](#),
- Housing, Neighbourhoods, and Communities (HNC) – [Jamarl Billy](#)

Processing Time:

- EIAs can take up to 10 business days to approve after a completed EIA of a good standard is submitted to the EDI Business Partner. This is not considering unknown and unplanned impacts of capacity, resource constraints, and work pressures on the EDI team at the time your EIA is submitted.
- If your request is urgent, we can explore support exceptionally on request.
- We encourage improved planning and thinking around EIAs to avoid urgent turnarounds as these make EIAs riskier, limiting, and blind spots may remain unaddressed for the ‘activity’ you are assessing.

Process:

- Once fully completed, submit your EIA to your EDI Business Partner, copying in your Head of Service, Business Improvement Manager (if one exists in your directorate), Equalities inbox, and any other relevant service colleagues to enable EIA communication, tracking and saving.
- When your EIA is reviewed, discussed, and then approved, the EDI Business Partner will assign a reference to it and send the approved EIA form back to you with the EDI Manager or Head of Communities, Equality, and Third Sector (CETS) Service’s approval as appropriate.
- Only approved EIAs are to be attached to Committee reports. Unapproved EIAs are invalid.

1. Assessment details

Throughout this form, ‘activity’ is used to refer to many different types of proposals being assessed.

Read the [EIA toolkit](#) for more information.

Name of activity or proposal being assessed:	Renewal of Sexual Entertainment Venue (SEV) Licence for the Pussycat Club, Grand Parade, Brighton
Directorate:	City Services
Service:	Regulatory Services
Team:	Licensing

Is this a new or existing activity?	Existing (a renewal application of a Sexual Entertainment Venue under the Local Government (Miscellaneous Provisions) Act 1982).
Are there related EIAs that could help inform this EIA? Yes or No (If Yes, please use this to inform this assessment)	No

2. Contributors to the assessment (Name and Job title)

Responsible Lead Officer:	Emily Fountain, Licensing Officer
Accountable Manager:	Sarah Cornell, Senior Licensing Officer
Additional stakeholders collaborating or contributing to this assessment:	Rebecca Sidell, Lawyer Housing & Litigation Alex Evans, Team Leader Specialist, Licensing City Services

3. About the activity

Briefly describe the purpose of the activity being assessed:

The activity being assessed is for the consideration and determination of a renewal application of an existing sexual entertainment venue (SEV) licence under the Local Government (Miscellaneous Provisions) Act 1982.

Sex establishments are defined and regulated by Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the Act') as amended by the Policing and Crime Act 2009. Brighton & Hove City Council adopted the amended provisions of Schedule 3 of the Act on the 15th of July 2010.

A "sexual entertainment venue" is any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer. "Relevant entertainment" means: -

- (a) any live performance; or
- (b) any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means). This covers the following forms of entertainment (though this is not a comprehensive list): Lap dancing; Pole dancing; Table dancing; Strip shows; Peep shows; Live sex shows. There is an exemption for premises which provide such entertainment less frequently than once a month.

Parliament has made it lawful to operate a sex establishment. Such businesses are a legitimate part of the retail and leisure industries. It is the City Council's role to administer the licensing regime in accordance with the law. Paragraph 12 of Sch 3 of the 1982 Act sets out the grounds upon which a licence may be refused. A licence application may be refused where:

- (a) The applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reasons;
- (b) If the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- (c) The number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the Council considers is appropriate for that locality (nil may be an appropriate number for these purposes);

- (d) The grant or renewal of the licence would be inappropriate, having regard to (i) the character of the relevant locality; and/or (ii) the use to which any premises in the vicinity are put; and/or (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

The original SEV licence for this premises was applied for and granted in 2011 after new legislation was brought in by the Government to licence SEV's. No objections were received at this time, so the application was granted. The premises renewed the SEV on a yearly basis without issue until 2017 when the Police objected to the suitability of the licence holder, a panel hearing was arranged following the objection. Following consultation with the premises management, the Police withdrew their objection after a condition was agreed to be added to the licence and the panel hearing was withdrawn. The licence was subsequently renewed with the added agreed condition.

The premises failed to renew the SEV licence in 2020 and it therefore expired. A new SEV licence was applied for in 2021, no objections were received, and the licence was granted without the Police condition. The licence has been renewed yearly since then until the most recent renewal application where objections were received.

Section 149 of the Equality Act 2010 Public Sector Equality Duty (PSED) imposes a statutory duty on the City Council, in the exercise of its functions, to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The determination of applications for a sex establishment licence is a function of the council therefore the City Council must have due regard to the PSED. It is acknowledged that the PSED must be "exercised in substance, with rigour and with an open mind" by the decision-maker personally and may not be delegated (see the summary in *R (Bracking & Ors) v Secretary of State for Work & Pensions* [2013] EWCA Civ 1345 at [73]).

The PSED is not "a duty to achieve results" but a duty "to have due regard to the need to achieve the goals identified in parts (a) to (c) of s 149(1) (see *Hotak v Southwark LBC* [2015] @ WLR 1341 at para [74]).

Sex equality-based concerns are relevant considerations to the due regard of the PSED in the context of an application for a sex establishment licence under the 1982 Act (see *R on the application of CDE v Bournemouth, Christchurch & Poole Council* [2023] EWHC 194 (Admin)).

There is a Sex Establishment Policy that applies to all applications for sex establishment licences. Under this policy the City Council recognises that it has a duty to promote equality, consider crime and disorder and ensure fair and rational determination of applications. In certain circumstances due regard may be addressed using appropriate conditions, enforcement and policies by the Council.

The purpose of this EIA is to provide a sense of the wider context and information for the decision makers regarding this renewal application, to exercise the PSED. It is worth noting that Brighton has a wide and varied nightlife. The City's nightlife is diverse which includes adult themed and sexualised aspects. It also supports and celebrates the whole spectrum of sex, gender and sexualities.

What are the desired outcomes of the activity?

The licence renewal process provides an opportunity to have due regard to the PSED in the exercise of function relating to the Sex Establishment regime under the 1982 Act.

Which key groups of people do you think are likely to be affected by the activity?

Primarily staff, performers, customers, those that live and work in the locality of the premises and also wider society of residents and visitors to Brighton & Hove.

4. Consultation and engagement

What consultations or engagement activities have already happened that you can use to inform this assessment?

- For example, relevant stakeholders, groups, people from within the council and externally consulted and engaged on this assessment. **If no consultation** has been done or it is not enough or in process – state this and describe your plans to address any gaps.

All applications for initial licensing and renewal of Sexual Entertainment Venue licences are determined by the Local Authority having regard to any police observations if provided. No objections have been received from Sussex Police relating to the renewal of this licence.

In addition, the applicant is required to advertise the application in the local newspaper and display a public notice on the premises to be visible to the public for a period of 28 days. The notice provides Licensing Authority contact details for people to comment on the application.

A total of 18 objections were received. 2 objections were particularised. A summary of the main concerns are:-

Numerous breaches of the council's own Sex Establishment Policy 2010:

- Section 4 – In an 'unfit' location (practically on university campus, near schools and churches, in a main shopping and residential area, by places of historical interest and in an area of high crime). The policy states SEV licenses will only be granted in the locations outlined in 4.1 and 4.2 'in exceptional circumstances.' The council needs to justify what these 'exceptional circumstances'
- Concerns about vulnerable young girls and women and equality.
- Viewing this application through the lens of reducing harm, specifically reducing violence against women and girls in a city with higher than average rates of domestic violence and sexual assault.

This EIA has been completed as a result of objections received and in order to assist the decision makers to assess the equalities impact and apply the PSED.

5. Current data and impact monitoring

Do you currently collect and analyse the following data to enable monitoring of the impact of this activity?
Consider all possible intersections.

(State Yes, No, Not Applicable as appropriate)

Age	NO
Disability and inclusive adjustments, coverage under equality act and not	NO
Ethnicity, 'Race', ethnic heritage (including Gypsy, Roma, Travellers)	NO
Religion, Belief, Spirituality, Faith, or Atheism	NO
Gender, Identity and Sex	NO
Gender Reassignment	NO
Sexual Orientation	NO
Marriage and Civil Partnership	NO
Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum)	NO
Armed Forces Personnel, their families, and Veterans	NO
Expatriates, Migrants, Asylum Seekers, and Refugees	NO
Carers	NO
Looked after children, Care Leavers, Care and fostering experienced people	NO
Domestic and/or Sexual Abuse and Violence Survivors, and people in vulnerable situations (All aspects and intersections)	NO
Socio-economic Disadvantage	NO
Homelessness and associated risk and vulnerability	NO
Human Rights	NO
Another relevant group (please specify here and add additional rows as needed)	NO

Additional relevant groups that may be widely disadvantaged and have intersecting experiences that create exclusion and systemic barriers may include:

- Ex-offenders and people with unrelated convictions
- Lone parents
- People experiencing homelessness
- People facing literacy, numeracy and /or digital barriers
- People on a low income and people living in the most deprived areas
- People who have experienced female genital mutilation (FGM)
- People who have experienced human trafficking or modern slavery
- People with experience of or living with addiction and/ or a substance use disorder (SUD)
- Sex workers

If you answered “NO” to any of the above, how will you gather this data to enable improved monitoring of impact for this activity?

SEV licences are subject to an annual review. The PSED is engaged as part of that review. The impact of SEVs is monitored through the Development and Review of Policy, Inspections & Enforcement, Consultation with the Police through Policy and application procedure (including renewals) and engagement with civil society.

There are other Council policies and strategies with a wider remit that address those with protected characteristics such as; Women’s Safety, safeguarding, age protection, sexual health, ethnicity & race etc.). Further information regarding these policies and strategies can be found via the following links:

[New strategic direction for tackling violence against women and girls, domestic abuse and sexual violence](#)

[Brighton & Hove City Council plan 2023 to 2027; Outcome 2: A fair and inclusive city](#)

[Equality](#)

[Age and Dementia Friendly Brighton & Hove](#)

What are the arrangements you and your service have for monitoring, and reviewing the impact of this activity?

If this licence is renewed then we will monitor any feedback from staff, performers, customers, the police, regulatory officers of the council and City residents.

An annual inspection is carried out to check compliance with the licence terms and conditions; these include that no under 18-year-olds will be admitted to the premises. We have included the standard conditions relating to an SEV licence which can be found [via the following link in our Sex Establishment Policy](#) and relevant conditions regarding equalities considerations can be found from page 15 of the policy, under numbers: 1, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.

Risks could be mitigated by asking operators of premises to safeguard employees, vulnerable customers, and members of the general public that could be impacted by these establishments. To minimise risks to health the following should be in place; welfare policies, specific training, support services, lead safeguarding officer and in the case of SEV’s consideration of having a trained occupational health first aider. SEV’s in particular, could be asked on application for the following documentation to ensure these risks are reduced: Codes of Practice for performers, Rules for Customers, Policy of the Welfare of Performers (and to detail how the applicants would monitor and enforce compliance of these rules set).

6. Impacts

Advisory Note:

- **Impact:**
 - Assessing disproportionate impact means understanding potential negative impact (that may cause direct or indirect discrimination) and then assessing the relevance (that is: the potential effect of your activity on people with protected characteristics) and proportionality (that is: how strong the effect is).
 - These impacts should be identified in the EIA and then re-visited regularly as you review the EIA every 12 to 18 months as applicable to the duration of your activity.
- **[SMART Actions](#) mean:** Actions that are (SMART = Specific, Measurable, Achievable, Realistic, T = Time-bound)
- **[Cumulative Assessment:](#)** [If there is impact on all groups equally, complete **only** the cumulative assessment section.](#)
- **Data analysis and Insights:**

- In each protected characteristic or group, in answer to the question ‘If “YES”, what are the positive and negative disproportionate impacts?,’ describe what you have learnt from your data analysis about disproportionate impacts, stating relevant insights and data sources.
- Find and use contextual and wide ranges of data analysis (including community feedback) to describe what the disproportionate positive and negative impacts are on different, and intersecting populations impacted by your activity, especially considering for [Health inequalities](#), review guidance and inter-related impacts, and the impact of various identities.
- For example: If you are doing road works or closures in a particular street or ward – look at a variety of data and do so from various protected characteristic lenses. Understand and analyse what that means for your project and its impact on different types of people, residents, family types and so on. State your understanding of impact in both effect of impact and strength of that effect on those impacted.
- **Data Sources:**
 - **Consider a wide range (including but not limited to):**
 - [Census](#) and [local intelligence data](#)
 - Service specific data
 - Community consultations
 - Insights from customer feedback including complaints and survey results
 - Lived experiences and qualitative data
 - [Joint Strategic Needs Assessment \(JSNA\) data](#)
 - [Health Inequalities data](#)
 - Good practice research
 - National data and reports relevant to the service
 - Workforce, leaver, and recruitment data, surveys, insights
 - Feedback from internal ‘staff as residents’ consultations
 - Insights, gaps, and data analyses on intersectionality, accessibility, sustainability requirements, and impacts.
 - Insights, gaps, and data analyses on ‘who’ the most intersectionally marginalised and excluded under-represented people and communities are in the context of this EIA.
- Learn more about the [Equality Act 2010](#) and about our [Public Sector Equality Duty](#).

6.1 Age

Does your analysis indicate a disproportionate impact relating to any particular Age group? For example: those under 16, young adults, with other intersections.	No We have the following observations:
---	---

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

<p>Brighton & Hove has a younger age structure than England:</p> <p>20.5% of people are aged under 20 (23%) 65.5% aged 20-64 (58%) 14.1% aged 65+ (18%)</p> <p>This data has been taken from the 2021 Census which details; Brighton & Hove protected characteristics and other groups. Census 2021 population groups: Brighton & Hove by Brighton and Hove City Council - Infogram</p>
--

Note: Summaries with more detail for each group are part of the City Needs Assessment programme for 2023/24

There were no objections received from universities, schools or places of worship.

Staff (including Performers)

There may be a risk of negative age impacts associated with sex establishments particularly in relation to young adults.

Should the authority receive evidence of issues associated with a person's age in licensed venues, a full investigation will be carried out and may result in enforcement action being taken. There have been no complaints to the Local Authority in relation to age.

Young people and students

In addition, in 2019 a National Student Money Survey by Save the Student indicated that 4% of around 3,000 student respondents have done some kind of adult work due to financial hardship. Note, these statistics refer to adult work as a whole and give examples that include selling intimate photos, webcamming, phone dating and nude modelling. The example of working in a sex establishment (SEV) is not referred to. (<https://www.savethestudent.org/money/student-money-survey-2019.html>)

This survey was updated in 2021 which shows 9% of students would carry out 'sex work' to obtain extra money. The survey indicated that 3% of the respondents did carry out sex work and out of those, 4% of the respondents used lap dancing as a form to obtain extra money.

(<https://www.savethestudent.org/money/surveys/student-money-survey-2021-results.html#sexwork>)

The 2023 survey details that this has increased from 4% to 7%.

(<https://www.savethestudent.org/money/surveys/student-money-survey-2023-results.html#sexwork>)

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

It is to be noted that it is not an offence for a student over the age of 18 to be employed in a licensed sex establishment.

Underage workers

The above findings highlight a risk that people younger than 18 may be attracted to working at sex establishments. However, the Licensing Authority carry out inspections of licensed establishments and has not received any complaints regarding under 18's accessing any premises and has not received any information from Sussex Police or the Sussex Safeguarding Adult Board or any other such organisation informing complaints or issues in relation to workers under the age of 18. There are conditions within our policy which state that all dancers / performers will be aged over 18 years of age.

Impact of premises on persons under 18

The external appearance of sex establishments has the potential to impact those under 18 negatively. There are several factors which reduce the risk of this impact which are outlined in the action plan below under the heading 'age'. In brief, there are conditions and restrictions on what the appearance of sex establishments will look like from the outside. See condition 3 [from page 15 in the following policy link](#).

There are also policy considerations in relation to the locations of premises applied for around any sensitive locations. See point 4.1 in the Policy at the above link.

Persons under 18 accessing licensed premises

Entry into sex establishments is only permitted to people aged 18 years or over. Premises that are licensed as a sexual entertainment venue are also likely to be licensed under the Licensing Act 2003; this separate piece of legislation provides various requirements in protecting children from harm.

Licence conditions attached to licences provide further safeguarding measures for both customers and employees; a 'Challenge 25 scheme' is part of the conditions and must provide proof of ID before entering. Employees under the age of 18 are not permitted to work in the premises and conditions detail anyone 18+ years of age must provide various forms of identification which must be verified by the licensee.

The policy document also details 'location' factors when determining applications and the Licensing Authority will have regard to areas and premises which are sensitive because they are frequented by children, young persons or families. Within the locality of the premises (half a mile radius), there are three Primary Schools, but these are not within direct sight of the premises. There are three language schools, two of which are within 120yds of the premises.

There is a University Campus nearby on the same road. There is the Royal Pavilion opposite which would be considered a public building with community facilities, also the Brighton Dome is 150yds away.

It does, however, remain a risk, as with any age restricted licensed premises; the operators are asked to have sufficient management controls and policies in place.

Young people and students (over 18)

There is no legislative restriction to over 18's accessing sex establishments and operators are required to ensure adequate safeguarding controls are in place for both staff, performers and customers.

6.2 Disability:

Does your analysis indicate a disproportionate impact relating to [Disability](#), considering our [anticipatory duty](#)?

No

We have the following observations:

If "YES", what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

Premises should seek to promote accessibility and inclusion.

Licensed premises should make reasonable adjustments for workers and customers.

There should be no barrier to performers in SEV premises in respect of disability.

From the 2021 Census: Nearly one in five residents (18.7%, 51,797 people) are disabled (17%).

[Census 2021 population groups: Brighton & Hove by Brighton and Hove City Council - Infogram](#)

Staff and customers

There is a potential negative impact on disabled people if a premises does not meet the statutory standards as set out in the Equality Act 2010 in relation to reasonable adjustments and discrimination. Disability encompasses a wide range of factors as set out in the Equality Act 2010 definitions. Should the authority receive evidence of issues in licensed venues, a full investigation will be carried out and may result in enforcement action being taken.

Considerations include physical accessibility of venue, potential vulnerabilities of staff in terms of mental health, inclusive and non-discriminatory employment practices and support for disabled employees. It could be deemed that there are physical barriers to access of the premises as there is a narrow doorway, narrow staircase, no lift, two floors and narrow corridors. As with any licensed premises; the operators are asked to have sufficient management controls and policies in place in relation to disability.

However, the Licensing Authority has not received any complaints in relation to the treatment of disabled people or in relation to access to this sex establishment.

What [inclusive adjustments](#) are you making for diverse disabled people impacted? For example: D/deaf, deafened, hard of hearing, blind, neurodivergent people, those with non-visible disabilities, and with access requirements that may not identify as disabled or meet the legal definition of disability, and have various intersections (Black and disabled, LGBTQIA+ and disabled).

Risks could be mitigated by asking operators of premises to safeguard employees, vulnerable customers, and members of the general public that could be impacted by these establishments. To minimise risks to health the following should be in place; welfare policies, specific training, support services, lead safeguarding officer and in the case of SEV's consideration of having a trained occupational health first aider. SEV's in particular, could be asked on application for the following documentation to ensure these risks are reduced: Codes of Practice for performers, Rules for Customers, Policy of the Welfare of Performers (and to detail how the applicants would monitor and enforce compliance of these rules set).

6.3 Ethnicity, 'Race', ethnic heritage (including Gypsy, Roma, Travellers):

<p>Does your analysis indicate a disproportionate impact relating to ethnicity?</p>	<p>No</p> <p>We have made the following observations:</p>
--	---

If "YES", what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

[From the 2021 Census:](#)

- 26% of people are Black or racially minoritised* (27%):
 - 4.8% Asian or Asian British (10%)
 - 2.0% Black or Black British (4%)
 - 4.8% Mixed or multiple ethnic group (3%)
 - 1.1% Arab (0.6%)
 - 11.5% White Irish or White other (8%)

[Census 2021 population groups: Brighton & Hove by Brighton and Hove City Council - Infogram](#)

The positive impact could be the potential job opportunities for staff from diverse backgrounds.

The negative impacts could be discrimination in hiring practices or working conditions; potential issues with representation, stereotyping and fetishising, potential cultural conflicts or sensitivities re: SEVs in

some minoritised cultures, economic impact - venues can impact local economies, potentially affecting minority-owned local businesses.

The operators are asked to have sufficient management controls and policies in place to address diversity, equity and inclusion (DEI).

6.4 Religion, Belief, Spirituality, Faith, or Atheism:

Does your analysis indicate a disproportionate impact relating to Religion, Belief, Spirituality, Faith, or Atheism?

No

We have made the following observations:

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

There were no objections received from universities, schools or places of worship.

The application and its determination must have due regard to the PSED.

[From the Brighton & Hove 2021 census \(where brackets represent the Engand figure comparator\):](#)

- 55.2% of people have no religion or belief (37%):
- 30.9% Christian (46%)
- 3.1% Muslim (6.7%)
- 0.9% Jewish (0.5%)
- 0.9% Buddhist (0.5%)
- 0.8% Hindu (1.8%)
- 0.1% Sikh (0.9%)
- 1.0% Other religion (0.6%)

To be fair and equitable, while some religions or faiths may not support the sale and consumption of alcohol or display of nudity, in Brighton’s context, there is a growing (and higher) population of those who identify as belonging to No Faith (55.2%) compared to England (37%). This requires a balance of individual rights, agency, secular and religious approaches and respect the personal freedom of choices of workers, business owners and wider residents.

The Council has discretion to have regard to the character of the locality or the use of premises in the vicinity – this may include religious buildings. We have not received any concerns from existing religious establishments.

6.5 Gender Identity and Sex:

Does your analysis indicate a disproportionate impact relating to Gender Identity and Sex (including non-binary and intersex people)?

Yes

We have made the following observations

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

The application and its determination must have due regard to the PSED. Each case must be considered on its-merits. It must not discriminate on the grounds of sex or gender.

There is a clear tension between the lawful right to operate SEV of this nature, to work and perform in SEVs of this nature and sex based-equality concerns that relate to the discrimination and objectification of women. The safeguarding of women and the awareness of violence against women and girls is a clear consideration for business’s, police the council and our local residents.

It is important that premises have safe access and treatment for customers of all gender identities; protection for performers and staff from gender-based harassment or violence and pay equity across all genders.

We also have to recognise and acknowledge that women working at SEVs may also be making active individual choices and be free of oppression and are empowering themselves to be able to act on ‘my body my choice’ which should also not be eclipsed due to those who are sexist and socialised into discriminatory behaviours and judgments of SEVs and those who work there.

[The House of Commons Women and Equalities Committee inquiry report into the sexual harassment of women and girls in public places states](#), “Evidence demonstrates that sexual harassment is the norm in the night-time economy”. This report was [published in Oct 2018 with the Government’s response published in May 2019](#). Evidence demonstrates that sexual harassment is the norm in the night-time economy”. This report was published in Oct 2018 with the Government’s response published in May 2019.

The House of Commons inquiry report asks; where does responsibility lie for women and girls’ safety at night? It suggests that the responsibility lies with everybody including central government, the police, local authorities, bars and venues and transport agencies, and that local authorities should “adopt stringent zero tolerance conditions for any existing sexual entertainment venues. These conditions should make it clear that they will withdraw licenses following evidence of harm to women in and around sexual entertainment venues and following evidence of any failure to follow conditions designed to keep women safe within venues.”

[Protection from Sex-based Harassment in Public Act 2023](#) introduces a new offence causing intentional harassment, alarm or distress to a person in public where the behaviour is done because of that person’s sex.

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

As with any licensed premises; the operators are asked to have sufficient management controls and policies in place to address safeguarding of workers.

There are no police complaints or observations about this application.

6.6 Gender Reassignment:

Does your analysis indicate a disproportionate impact relating to Gender Reassignment?	No We have made the following observations
---	---

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

The application and its determination must have due regard to the PSED. Each case must be considered on its merits.

There should be no barrier to performers in SEV premises in respect of gender reassignment.

There may be a fear of trans or non-binary people being less welcome into any gender specific premises depending upon the nature of its operation.

Premises should consider: potential employment/hiring discrimination against transgender or non-binary (TNBI) individuals who are often over-represented in sex work due to economic barriers - e.g.

[Transgender women and the sex work industry: roots in systemic, institutional, and interpersonal discrimination - PubMed \(nih.gov\)](#) See also [LGBTQbriefing.pdf \(scot-pep.org.uk\)](#)

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

Safety risks for Trans, Non-binary, and Intersex (TNBI) staff and customers in venue and local area, including transphobic behaviour of customers; potential fetishisation; policy re: single-sex spaces in the SEV (e.g., changing rooms, bathrooms)

[From the Brighton & Hove 2021 census:](#)

At least one in a hundred residents aged 16+ (1.0%, 2,341 people) identify as Trans (England 0.5%)

As with any licensed premises; the operators are asked to have sufficient management controls and policies in place to address TNBI staff.

6.7 Sexual Orientation:

Does your analysis indicate a disproportionate impact relating to Sexual Orientation?	No
--	----

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.8 Marriage and Civil Partnership:

Does your analysis indicate a disproportionate impact relating to Marriage and Civil Partnership?	No
--	----

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.9 Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum):

Does your analysis indicate a disproportionate impact relating to Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum)?	No We have made the following observations
--	---

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

<p>The application and its determination must have due regard to the PSED. Each case must be considered on its-merits. It must not discriminate on the grounds of pregnancy and maternity.</p> <p>Premises should consider fair employment policies for pregnant performers and effects of venue on local parents of young children.</p>
--

6.10 Armed Forces Personnel, their families, and Veterans:

Does your analysis indicate a disproportionate impact relating to Armed Forces Members and Veterans?	No
---	----

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

--

6.11 Expatriates, Migrants, Asylum Seekers, and Refugees:

Does your analysis indicate a disproportionate impact relating to Expatriates, Migrants, Asylum seekers, Refugees, those New to the UK, and UK visa or assigned legal status? (Especially considering for age, ethnicity, language, and various intersections)	No We have made the following observations:
---	--

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

<p>The application and its determination must have due regard to the PSED. Each case must be considered on its-merits.</p> <p>SEV might provide job opportunities for migrants, asylum seekers, and refugees who may face barriers in other sectors. Also consider risks of exploitation (including economic) due to vulnerable immigration</p>

status or language barriers and potential issues re: legal status and work rights. Language and cultural barriers. Potential risk of risk of trafficking or coerced participation for some individuals.

Should a member of staff, management or a customer have a safeguarding concern regarding potential trafficking or coerced involvement in the industry, there should be an awareness of where to report information. Premises can have a DEI Policy.

6.12 [Carers](#):

Does your analysis indicate a disproportionate impact relating to [Carers](#) (Especially considering for age, ethnicity, language, and various intersections).

No

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.13 Looked after children, Care Leavers, Care and fostering experienced people:

Does your analysis indicate a disproportionate impact relating to Looked after children, Care Leavers, Care and fostering experienced children and adults (Especially considering for age, ethnicity, language, and various intersections).

No

Also consider our [Corporate Parenting Responsibility](#) in connection to your activity.

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.14 Homelessness:

Does your analysis indicate a disproportionate impact relating to people experiencing homelessness, and associated risk and vulnerability? (Especially considering for age, veteran, ethnicity, language, and various intersections)

No

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.15 Domestic and/or Sexual Abuse and Violence Survivors, people in vulnerable situations:

<p>Does your analysis indicate a disproportionate impact relating to Domestic Abuse and Violence Survivors, and people in vulnerable situations (All aspects and intersections)?</p>	<p>No</p> <p>We have made the following observations:</p>
---	---

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

<p>The application and its determination must have due regard to the PSED. Each case must be considered on its-merits.</p> <p>A paper titled ‘License to Cause Harm? Sex Entertainment Venues and Women’s Sense of Safety in Inner City Centre’ by Jackie Patiniotis and Kay Standing consider how the effects of lap dancing clubs contribute to women’s vulnerability in public spaces. It suggests there is evidence of gendered harm caused by SEVs to women in general. “Research undertaken by the Lilith Project on lap dancing in three London boroughs found a 50 per cent increase in reported rapes in the vicinity of the clubs, and also an increase in less measurable effects on women such as harassment and fear of violence (Eden, 2007). Research has demonstrated that fear of assault and the consequent creation of no-go areas for women relate directly to the activities of male customers of lap dancing clubs, and anti-social behaviours associated with the freeing up of the night-time economy (Higginson, 2012).”</p> <p>https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/09627251.2012.695498.pdf</p> <p>One of the objectors references a new report that has been released to highlight the harm caused by Sexual Entertainment Venues (SEVs) to women as a group. The 50 page report was produced by Safe and Equal Bristol – an umbrella group of Bristol-based stakeholders and professionals in the field of gender equality and sexual and gender-based violence – who want Bristol to be a fair and equal city that does not tolerate violence against women and girls. was produced by Safe and Equal Bristol – an umbrella group of Bristol-based stakeholders and professionals in the field of gender equality and sexual and gender-based violence – who want Bristol to be a fair and equal city that does not tolerate violence against women and girls.</p> <p>While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.</p> <p>Joint Strategic Needs Assessment data regarding sex workers in the city is not yet available.</p> <p>Brighton & Hove City Council is working towards a White Ribbon accreditation, and this is still in progress.</p> <p>There were no objections from the police to this renewal.</p>
--

6.16 Socio-economic Disadvantage:

<p>Does your analysis indicate a disproportionate impact relating to Socio-economic Disadvantage? (Especially considering for age, disability, D/deaf/ blind, ethnicity, expatriate background, and various intersections)</p>	<p>No:</p> <p>We have made the following observations:</p>
---	--

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

The application and its determination must have due regard to the PSED. Each case must be considered on its-merits.

Dr Rachela Colosi from the University of Lincoln submitted comments to the Spearmint Rhino renewal application in 2019 and attended the Sub-Committee hearing in Sheffield. Research she had conducted suggested “where the licenses of SEV’s are denied or revoked, as well as exposing women to poverty through unemployment, those who wish to continue to work as dancers, but are unable to find work in SEV’s, may have no alternative but to seek work in unregulated spaces of erotic dance, increasing their risk of experiencing further exploitation. There is evidence to suggest that those working in unregulated spaces of erotic dance are exposed to more risks, including non-payment of labour, and increased incidents of sexual and physical violence” Evidence provided by current dancers at the same renewal Sub-Committee hearing suggested that they felt safe working at the club. They choose to work there as it gave them financial security and flexible working hours.

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

We do not have information from women or performers who work at this premises at this time.

6.17 Human Rights:

Will your activity have a disproportionate impact relating to Human Rights?	No
--	----

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

Regard must be had to the Human Rights Act 1998. The circumstances of an SEV application may require regard, amongst other rights, to:

Art 6: Right to a Fair Trial

Art 10: Right to Freedom of Expression; and

Protocol 1, Article 1: Protection of Property.

6.18 Cumulative, multiple intersectional, and complex impacts (including on additional relevant groups):

What cumulative or complex impacts might the activity have on people who are members of multiple Minoritised groups?

- For example: people belonging to the Gypsy, Roma, and/or Traveller community who are also disabled, LGBTQIA+, older disabled trans and non-binary people, older Black and Racially Minoritised disabled people of faith, young autistic people.
- Also consider wider disadvantaged and intersecting experiences that create exclusion and systemic barriers:
 - People experiencing homelessness
 - People on a low income and people living in the most deprived areas
 - People facing literacy, numeracy and/or digital barriers
 - Lone parents
 - People with experience of or living with addiction and/ or a substance use disorder (SUD)
 - Sex workers
 - Ex-offenders and people with unrelated convictions

- People who have experienced female genital mutilation (FGM)
- People who have experienced human trafficking or modern slavery

An intersectional approach recognises that individuals may experience multiple, overlapping forms of discrimination or disadvantage. Young women from lower socioeconomic backgrounds may be more vulnerable to exploitation or feel economic pressure to work in SEVs.

Equally some women may exercise their agency and rights as a human being to actively work in the sexual entertainment industry and should not be fetishised, diminished, demonised, or have their agency diminished because of potential risk and opinions of other sectors of society, or other conditioned belief systems that exist in wider society.

Systems of ensuring safety, strongly regulated spaces and protections for Sex Workers or those working in SEVs should instead be strengthened if we want to ensure a systematic change-based approach and not a deficit model approach where individual choice, agency and person-centred working and assessments are negated.

Black and Racially Minoritised women, especially those who are migrants or refugees, may face compounded discrimination and heightened risk of exploitation. Disabled women may face unique barriers in accessing employment in SEVs, both in terms of physical accessibility and attitudinal barriers. Young LGBTQ+ individuals, especially those who are economically disadvantaged, may be at higher risk of entering sex work due to family rejection or discrimination in other employment sectors.

Transgender women, particularly from racially minoritised communities, often face severe employment discrimination and may be overrepresented in sex work. Trans women of colour live within intersections of discrimination based on race, being women, and being transgender. While trans women of colour share experiences of transphobia and cisnormativity with other transgender people, experiences of sexism with other women, and experiences of racism with other people of colour, these experiences interact and cannot be separated: trans women of colour experience discrimination uniquely as trans women of colour <https://pmc.ncbi.nlm.nih.gov/articles/PMC4205968/>.

While national research and data provide useful context, the findings do not necessarily apply to a Brighton-specific context.

7. Action planning

What SMART actions will be taken to address the disproportionate and cumulative impacts you have identified?

- Summarise relevant SMART actions from your data insights and disproportionate impacts below for this assessment, listing appropriate activities per action as bullets. (This will help your Business Manager or Fair and Inclusive Action Plan (FIAP) Service representative to add these to the Directorate FIAP, discuss success measures and timelines with you, and monitor this EIA's progress as part of quarterly and regular internal and external auditing and monitoring)

1. If this licence is renewed, we could introduce mitigating measures to address potential negative impacts within 12 months.

1.1 By adding additional checks to our inspection checklist that address staff welfare and safeguarding.

1.2 Signposting management to relevant resources regarding exploitation, violence against women and girls, safety and equality of staff, advice regarding awareness of the vulnerability of staff who may have intersectional protected characteristics.

1.3. Reference to sexual assaults in the local area was made in the objections. Further work is needed to investigate these concerns by the Licensing Team in collaboration with the Police.

Which action plans will the identified actions be transferred to?

- For example: Team or Service Plan, Local Implementation Plan, a project plan related to this EIA, FIAP (Fair and Inclusive Action Plan) – mandatory noting of the EIA on the Directorate EIA Tracker to enable monitoring of all equalities related actions identified in this EIA. This is done as part of FIAP performance reporting and auditing. Speak to your Directorate’s Business Improvement Manager (if one exists for your Directorate) or to the Head of Service/ lead who enters actions and performance updates on FIAP and seek support from your Directorate’s EDI Business Partner.

8. Outcome of your assessment

What decision have you reached upon completing this Equality Impact Assessment? (Mark ‘X’ for any ONE option below)

Stop or pause the activity due to unmitigable disproportionate impacts because the evidence shows bias towards one or more groups.	
Adapt or change the activity to eliminate or mitigate disproportionate impacts and/or bias.	
Proceed with the activity as currently planned – no disproportionate impacts have been identified, or impacts will be mitigated by specified SMART actions.	X
Proceed with caution – disproportionate impacts have been identified but having considered all available options there are no other or proportionate ways to achieve the aim of the activity (for example, in extreme cases or where positive action is taken). Therefore, you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.	

If your decision is to “Proceed with caution”, please provide a reasoning for this:

Summarise your overall equality impact assessment recommendations to include in any committee papers to help guide and support councillor decision-making

Members of the panel are advised to have regard to the contents of the EIA in reaching their decision on whether to renew the current SEV licence. Potential risks and wider national research have been highlighted and mitigating actions and future work have been identified, particularly with safety considerations along with the balancing consideration for individual agency of staff, performers and customers in the SEV, which has been in operation since 2011.

Due regard to the PSED is a matter for Members making the decision. They will have access to the application, representations and any presentations at the hearing in addition to this EIA document.

9. Publication

All Equality Impact Assessments will be published. If you are recommending, and choosing not to publish your EIA, please provide a reason:

10. Directorate and Service Approval

Signatory:	Name and Job Title:	Date: DD-MMM-YY
Responsible Lead Officer:	Emily Fountain, Licensing Officer	16-Dec-24
Accountable Manager:	Sarah Cornell, Senior Licensing Officer	16-Dec-24

Notes, relevant information, and requests (if any) from Responsible Lead Officer and Accountable Manager submitting this assessment:

EDI Review, Actions, and Approval:

Equality Impact Assessment sign-off

EIA Reference number assigned: City Services77-25-Nov-2024-EIA-Renewal-of-Sexual-Entertainment-Venue-Licence

For example, HNC##-25-Dec-23-EIA-Home-Energy-Saving-Landlord-Scheme

EDI Business Partner to cross-check against aims of the equality duty, public sector duty and our civic responsibilities the activity considers and refer to relevant internal checklists and guidance prior to recommending sign-off.

Once the EDI Business Partner has considered the equalities impact to provide first level approval for by those submitting the EIA, they will get the EIA signed off and sent to the requester copying the Head of Service, Business Improvement Manager, [Equalities inbox](#), any other service colleagues as appropriate to enable EIA tracking, accountability, and saving for publishing.

Signatory:	Name:	Date: DD-MMM-YY
EDI Business Partner:	Chris Brown	19-Nov-24
EDI Manager:	Sabah Holmes	25-Nov-24
Head of Communities, Equality, and Third Sector (CETS) Service: <i>(For Budget EIAs/ in absence of EDI Manager/ as final approver)</i>		

Notes and recommendations from EDI Business Partner reviewing this assessment:

Notes and recommendations (if any) from EDI Manager reviewing this assessment:

Notes and recommendations (if any) from Head of CETS Service reviewing this assessment:

--

