

# Licensing of Lap Dancing Clubs – Policing and Crime Bill

## Equality Impact Assessment

### **Background:**

There is a legal obligation to equality assess for race, disability and gender impact when public bodies are developing new or existing policies. In accordance with best practice, it is suggested that the following areas should be considered:

- **race**
- **disability**
- **gender**
- **gender identity**
- **religion and belief**
- **sexual orientation**
- **age**

This impact assessment considers equality impact of the provisions relating to sex establishments in the Policing and Crime Bill 2008. Lap dancing premises are currently regulated under the Licensing Act 2003. However, under this legislation the powers available to local authorities to control the establishment of lap-dancing premises or impose condition on their licences are limited. Following a DCMS consultation with local authorities a majority of those that responded felt that their current powers to regulate lap-dancing clubs were inadequate and wanted Government to intervene.

The provisions within the Policing and Crime Bill will reclassify lap dancing clubs as 'sex establishments' under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. This will give local communities a stronger say over the establishment and location of a lap dancing clubs and allow them to make objections on grounds wider than is currently allowed. Local people will be able to oppose an application if they have legitimate concerns that a lap dancing club would be inappropriate given the character of an area, for example, if the area was primarily a residential area. Local authorities will have the power to set a cap on the number of lap-dancing clubs that they think is appropriate for a particular area and impose a wider range of conditions on the licences.

### **Objectives**

To give local communities a stronger say over the establishment and location of lap-dancing clubs in their area and local authorities more power to reject applications for lap-dancing clubs or impose conditions on licences. To recognise that local people have legitimate concerns about where lap-dancing clubs are located.

### **Methodology:**

There is very little specific research that examines the nature and extent of lap dancing clubs in the UK. Most of the studies that have been done have focused on the regulation of lap dancing clubs and the powers available to local authorities.<sup>1</sup>

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<sup>1</sup> Bindel, J (2004) Profitable Exploits: Lap Dancing in the UK, Child and Women Abuse Studies Unit, London Metropolitan University & A Growing Tide: Local Authorities Restricted by Inadequate Licensing Laws for Lap Dancing Clubs, Object (2008)

## **Consultation & Involvement:**

The Department of Culture, Media and Sport wrote to the chief executives of local authorities in June 2008 to clarify the powers available under the Licensing Act 2003 and to seek their views on whether these, and other controls, were sufficient to respond to the concerns of local people. This attracted 117 responses, the majority of which felt that additional legislation should be introduced to provide controls which were specific to lap dancing and similar premises.

The Home Office also wrote to selected stakeholders in September 2008 to seek views on proposals relating to prostitution and lap dancing. We received 67 responses from a range of organisations and individuals, including representative from the third sector, local government, statutory partners and industry

## **Assessment & analysis**

### *Gender*

While it is difficult to be precise about the number and gender of the people involved in lap dancing, research and contact with stakeholders indicates that the majority of those employed by the clubs are female and the majority of customers are male.

Some studies into lap dancing in the UK have raised concern about the impact that lap dancing clubs have on gender equality.<sup>2</sup> The reclassification of lap dancing clubs as 'sex establishments' under the Local Government (Miscellaneous Provisions) Act 1982, will give local authorities more scope to consider the impact that such premises may have on gender equality when they are assessing licence applications.

### *Ethnicity*

There is little available data relating to the likely impact of the new legislative measures on those of a particular ethnicity. The new measures, should not, however, impact disproportionately on a particular group as a result of ethnicity.

### *Disability*

There is little available data relating to the likely impact of the new legislative measures on those of a particular disability. The new measures, should not, however, impact disproportionately on a particular group as a result of a disability.

### *Religion and belief*

There is little available data relating to the likely impact of the new legislative measures on religion and belief. The new measures, should not, however, impact disproportionately on a particular group as a result of religion and belief

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<sup>2</sup> Bindel, J (2004) Profitable Exploits: Lap Dancing in the UK, Child and Women Abuse Studies Unit, London Metropolitan University

### *Sexual Orientation*

There is little available data relating to the likely impact of the new legislative measures on sexual orientation. The new measures, should not, however, impact disproportionately on a particular group as a result of sexual orientation

### *Age*

The majority of the dancers working in lap dancing clubs are young women. Evidence suggested that the age of customers varies significantly.<sup>3</sup> However, it is not expected that these new measures will impact disproportionately on a particular age group.

### *Overall Assessment*

It is not expected that the policy will have a disproportionate equality impact on any particular group. A potential benefit of the policy could be that it will give local authorities more scope to consider gender equality issues when assessing licence application for lap dancing clubs.

### **Recommendations**

No unintended or disproportionate impact is likely. We do not consider any changes or mitigation measures necessary in light of the above assessment.

### **Date of EIA Report**

8<sup>th</sup> January 2009

### **Date of Publication of Results**

**Ensure that the EIA Report is published on the Home Office website before your policy/programme is implemented.**

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<sup>3</sup> Bindel, J (2004) Profitable Exploits: Lap Dancing in the UK, Child and Women Abuse Studies Unit, London Metropolitan University