

Equality Assessment

Title:	Statement of Licensing Policy	
Version:	V1	
Owner:	Carolyn Singleton	
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VERSION	DATE	REVISION DESCRIPTION	APPROVAL DATE / REASON FOR REJECTION <i>(to be completed by Equalities Officer)</i>
1.0	September 2015		

Section 1: Getting Started

Name of Policy, Procedure, Practice, Strategy or Service: Statement of Licensing Policy

Service, Group, Team: Licensing

Equality Assessment Lead Officer: Carolyn Singleton

Head of Service: Nick Thurstan

Date: September 2015

Section 2: What is being assessed?

What are the broad objective(s) of the policy, procedure, practice, strategy or Service to be assessed?

What are you assessing and what is being affected?

What needs is the policy/service designed to meet?

What are the current priorities and the intended outcomes?

You could also refer to your current Service Plans and how the policy/service fits into EBC's strategic objective

How does the policy, procedure, practice, strategy or service align with Corporate Priorities?

Erewash Council is the Licensing Authority. It is empowered to administer the following in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment within the District:

- premises licences including provisional statements, full and minor variations, transfers, interim authorities and reviews
- club premises certificates
- temporary event notices
- personal licences

The Council carries out its functions under the Licensing Act 2003 with a view to promoting the four licensing objectives, namely:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

The Licensing Act 2003 requires a Licensing Authority to prepare and publish a statement of its Licensing Policy before the Authority can carry out any licensing or regulatory functions under the terms of the Licensing Act 2003. This Policy must be kept under review and the Licensing Authority may make any revisions to it, as it considers appropriate. In any event the Licensing Authority is required to review their Statement of Licensing Policy every 5 years.

The aims of the Statement of Licensing policy, to:

- 1) ensure all licence applications are treated fairly and in a consistent manner.
- 2) reflect the needs of the borough's community cultural needs and encourage diversity in the range of the entertainment available.
- 3) provide advice and information on how the Council will enforce, administer and make decision under the Licensing Act 2003.
- 4) integrate with other initiatives that will:
 - reduce crime and disorder;
 - reduce alcohol misuse;
 - encourage a vibrant night time economy;
 - encourage the self sufficiency of local communities;
 - reduce the burden of unnecessary regulation on business;
 - ensure a managed and consistent approach to the establishment and operation of licensed premises.

The Statement of licensing policy has been amended to take into account The Police Reform and Social Responsibility Act 2011, Live Music Act 2012 and Anti-social Behaviour, Crime and Policing Act 2014 and revised guidance issued under section 182 of the Licensing Act 2003.

The alignment to the council priorities:-

Working towards a brighter future, specifically to support local businesses, economy and employment.
To deliver excellent services, specifically to enable more people to feel listened to and involved.

Section 3: Gathering Information

What equality monitoring information do you gather and how is this information used to develop services, functions and policies at the current time. *You could look at the take up of services, customer satisfaction (complaints and compliments) and enforcement action.*

What does available data and the results of any consultations show about the take up of services? What is the impact on different groups? (qualitative and quantitative). *You could look at:*

- *previous community consultation exercises,*
- *customer service reviews and analysis.*
- *Census data*
- *the experiences and views of front-line staff in relation to the provision of the service?*
- *location of facilities.*

Remember: by law you are required to be able to demonstrate, through data analysis and evidence, that you have considered the impact of your service on **ALL** of the relevant protected groups. This document is just a short summary of this process and a tool to help you to check that you have taken the Equality Act 2010 and the Council's equality objectives into consideration.

The Statement of Licensing Policy was widely consulted between 1 June and 7 August 2015 with:-

- the Chief Officer of Derbyshire Constabulary;
- Derbyshire Fire and Rescue Service;
- the Director of Public Health for Derbyshire;
- such persons/ bodies that are representative of local premises licence holders;
- such persons/ bodies that are representative of local club premises certificate holders;
- such persons/ bodies that are representative/ bodies that are representative of local personal licence holders; and
- such persons/ bodies that are representative of businesses and residents in its area.

91 individuals / bodies were consulted and two responses were received from:-

Derbyshire Fire and Rescue Service - no comment

Derbyshire Public Health Service - these comments were incorporated into the Statement of Licensing Policy at 11.2

Copies of the Draft Statement of Licensing Policy were held at each of the boroughs Libraries and Town Halls and on the Council website.

The Statement of Licensing Policy sits within the wider context of the Local Authority's duties under the Equality Act 2010. These require us to

have due regard to:

- Eliminating unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act
- Advancing equality of opportunity between people who share a protected characteristic and people who do not share it
- Fostering good relations between people who share a protected characteristic and people who do not share it.
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It is not anticipated that changes to the Statement of Licensing Policy will have a significant impact or affect our ability to meet our duties under the Equality Act.

Section 4: Impact Assessment

Here you need to analyse the needs of different groups and the possible impacts the service may have on them. List below any groups you need to assess need or impact and methods used: (you may need to add extra rows)

*How is the policy or decision likely to affect the **promotion of equality** and the **elimination of discrimination** in each of the groups?*

Stake Holder Group	Specific Needs/Requirements in relation to the service	Possible Impact (positive and negative) of service
Age (older people, young people)	<ul style="list-style-type: none"> • The Statement of Licensing Policy clearly recognises the need to protect children from moral, psychological and physical harm, and is therefore relevant to the borough's young people. • The policy outlines the law in regard to the sale of alcohol to underage persons. Guidance is attached for licence applicants to consider limitations on hours when children may be present. An age verification policy must be operated at licensed premises. • No further age restrictions apply 	<p>Positive</p> <ul style="list-style-type: none"> • The amendments should not significantly alter how safeguarding is delivered. Safeguarding remains a fundamental principle of the policy. • Any restriction placed on persons under the age of 18 is undertaken to promote the Licensing objective for the protection of children from harm

<p>People with Disabilities (Both physical and mental impairments)</p>	<ul style="list-style-type: none"> • It is not anticipated that the revised statement will have an impact on the grounds of disability. The amendments to the policy are designed to clarify, formalise and, in some cases, simplify the processes governing licensable activity. • Businesses have obligations under national equality legislation, which can include the requirement to make reasonable adaptations for people who have a disability. They also have an obligation to ensure that appropriate evacuation arrangements are in place in the event of an emergency, and that patrons who have a disability are made aware of these arrangements. 	<p>Positive</p> <ul style="list-style-type: none"> • The policy outlines how the authority will exercise its licensing functions. The presumption is to grant a licence and consider any relevant representations from responsible authorities or other persons or bodies that are received, with a view to promoting the licensing objectives, these are the:- • Prevention of crime and disorder • Public safety • Prevention of public nuisance • Protection of children from harm • Consultation on the revised policy was undertaken with statutory consultees, including representatives from the business community.
<p>Gender (Women, Men, Transgender, Transsexuals)</p>	<ul style="list-style-type: none"> • It is not anticipated that the revised statement will have an impact on the grounds of gender. • The Statement of Licensing Policy has clear links to wider social outcomes such as health and wellbeing and crime and disorder. 	<p>Positive</p> <ul style="list-style-type: none"> • The policy outlines how the authority will exercise its licensing functions. The presumption is to grant a licence and consider any relevant representations from responsible authorities or other persons or bodies with a view to promoting the licensing objectives, these are the:- • Prevention of crime and disorder • Public safety • Prevention of public nuisance • Protection of children from harm • Consultation on the revised policy was undertaken with statutory consultees, including representatives from the business

		community.
Race (Black, Asian, Minority Ethnic groups. Include people whose first language is not English)	<ul style="list-style-type: none"> It is not anticipated that the revised amendments will have an effect on the grounds of race. The amendments are designed to clarify, formalise and, in some cases, simplify the processes governing licensable activity. 	<p>Positive</p> <ul style="list-style-type: none"> Erewash's business community is very diverse. We fully endorse the removal of all barriers regarding; disability, ethnicity, religion, local geography, special needs, language, learning difficulties, sexual orientation, gender or age. Language Line is available should additional assistance be required to provide language translation services either on the telephone, by post, fax or email. Consultation on the revised Statement of Licensing Policy was undertaken with statutory consultees, including representatives from the business community.
Sexual Orientation	<ul style="list-style-type: none"> It is not anticipated that the revised statement will have an impact on the grounds of sexual orientation. The amendments are designed to clarify, formalise and, in some cases, simplify the processes governing licensable activity. 	<p>Positive</p> <ul style="list-style-type: none"> Consultation on the revised policy was undertaken with statutory consultees, including representatives from the business community.
Religion and belief	<ul style="list-style-type: none"> It is not anticipated that the revised statement will have an impact on the grounds of religion and belief. The amendments are designed to clarify, formalise and, in some cases, simplify the processes governing licensable activity. 	<p>Positive</p> <ul style="list-style-type: none"> Consultation on the revised policy was undertaken with statutory consultees, including representatives from the business community.

Dignity, Human Rights and Socio-economic disadvantage	<ul style="list-style-type: none"> The Statement of Licensing Policy has clear links to wider social outcomes such as health and wellbeing and crime and disorder, for which there may be particular considerations in areas of socio-economic disadvantage. Due to the minor scope of the amendments, it is not anticipated that they will have a specific impact in relation to socio-economic issues at this time. 	<p>Positive</p> <ul style="list-style-type: none"> The licensing Authority must undertake its function with a view to promoting the licensing objectives, these are the:- Prevention of crime and disorder Public safety Prevention of public nuisance Protection of children from harm <ul style="list-style-type: none"> Consultation on the revised policy was undertaken with statutory consultees, including representatives from the business community.

Section 5: Actions			
<i>How will you mitigate the possible negative impacts of the policy, procedure, practice, strategy or service</i>			
Negative impact	Action required to mitigate any potential negative impact	Lead Officer	Deadline