

EQUALITY IMPACT ASSESSMENT

The **Equality Act 2010** places a ‘**General Duty**’ on all public bodies to have ‘**due regard**’ to the need to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advancing equality of opportunity between those with a ‘relevant protected characteristic’ and those without one;
- Fostering good relations between those with a ‘relevant protected characteristic’ and those without one.

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Stage 1 – Screening

Please complete the equalities screening form. If screening identifies that your proposal is likely to impact on protect characteristics, please proceed to stage 2 and complete a full Equality Impact Assessment (EqIA).

Stage 2 – Full Equality Impact Assessment

An EqIA provides evidence for meeting the Council’s commitment to equality and the responsibilities under the Public Sector Equality Duty.

When an EqIA has been undertaken, it should be submitted as an attachment/appendix to the final decision making report. This is so the decision maker (e.g. Cabinet, Committee, senior leader) can use the EqIA to help inform their final decision. The EqIA once submitted will become a public document, published alongside the minutes and record of the decision.

Please read the Council’s Equality Impact Assessment Guidance before beginning the EqIA process.

1. Responsibility for the Equality Impact Assessment	
Name of proposal	Revision of Statement of Licensing policy
Service area	Regulatory Services
Officer completing assessment	Daliah Barrett
Equalities/ HR Advisor	Chris Brent
Cabinet meeting date (if applicable)	N/A
Director/Assistant Director	Eubert Malcolm

2. Summary of the proposal

Please outline in no more than 3 paragraphs

- *The proposal which is being assessed*
- *The key stakeholders who may be affected by the policy or proposal*
- *The decision-making route being taken*

Haringey Council is the licensing authority under the Licensing Act 2003 and is responsible for granting licences in the Borough in respect of a wide variety of activities.

These are

- the sale and/or supply of alcohol
- the provision of regulated entertainment, (which includes music and/or dance, theatres, cinemas, indoor sporting events)
- late night refreshments.

All activities that come within the definition of the 2003 Act are covered. This would cover personal licences, which are held by individual licensees, registered supervisors, and premises licences, including clubs (premises certificates) and temporary events (permissions).

All licences/permissions relating to a premises is termed as a premises licence. The 2003 Act requires that the Council, after consultation adopts and publishes a licensing policy, which is reviewed every five years. The Council will apply the policy when making decisions on applications made under the Act. However each individual application must still be treated on its own merits and proper consideration must be given to each individual application.

The policy must be reviewed and ratified by Full Council by December 2015. This Statement of Licensing Policy has been prepared in accordance with the provisions of the Licensing Act and the published guidelines made under Section 182 of the Act. The policy has, as required by legislation, be consulted on and reviewed. The new guidelines issued by the Secretary of State have also been taken into account.

The policy states the general principles that the Council will take into account when determining each licence application on its own merits.

The Licensing Authority may depart from its own policy if the individual merits of the application warrant such a departure. In such

circumstances the Licensing Authority must be able to justify its decision should there be a challenge

The Licensing Act 2003 requires that we carry out our various licensing functions so as to promote the four licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

All of the Policy and its implementation must be consistent with these four objectives and nothing in the Licensing Policy should undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits, and/or override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act.

The main aims of the policy are to achieve a safe welcoming and clean environment for all to enjoy by improving opportunities to business and leisure activities whilst respecting the needs of residents to be able to go about their normal lives without undue interference or disturbance from licensable activities.

The Licensing Policy is a universal statement and has the ability to affect all parts of the community. The Policy sets out the Council's suggested approach to the administration and regulation of licensable activity.

The main stakeholders are

Entertainment and leisure businesses – have enjoyed a liberalisation of the laws and regulation that relates to licensable activity. The general business community have enjoyed having longer opening hours. A more liberal opening regime is considered by some to be a driver for expanding the economy and therefore, there will be prospect of more regeneration for the borough and more jobs. There will also be the prospect of generally increasing the quality of life by the provision of a more diverse and accessible entertainment's sector in the borough.

Local residents - would be concerned at the possible increase in anti social behaviour and the increase in noise and nuisance and the detrimental affect it may have on their quality of life. The revised policy is intended to help empower local residents and businesses by raising awareness of the statutory consultation timeframes and how they can participate in the decision making process.

The various responsible authorities, who look to the policy as a source of reference to help them achieve the licensing objectives

The aim of the policy has got to be the delivery of a compromise that will help deliver a more diverse entertainment environment with the economic and accessible benefits it may deliver, but not at the expense of local residents and other stakeholders who would not want their quality of life affected

3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis. Please include any gaps and how you will address these

This could include, for example, data on the Council's workforce, equalities profile of service users, recent surveys, research, results of relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national. For restructures, please complete the restructure EqIA which is available on the HR pages.

Protected group	Service users	Staff
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Sex	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf The Local Alcohol Profile for England	
Gender Reassignment	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf	
Age	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf The Local Alcohol Profile for England	
Disability	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf	
Race & Ethnicity	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf The Local Alcohol Profile for England	
Sexual Orientation	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf	
Religion or Belief (or No Belief)	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf	
Pregnancy & Maternity	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf	
Marriage and Civil Partnership	Haringey Equalities Profile http://www.haringey.gov.uk/sites/haringeygovuk/files/equalities_profile_of_haringey.pdf	

Outline the key findings of your data analysis. Which groups are disproportionately affected by the proposal? How does this compare with the

impact on wider service users and/or the borough's demographic profile? Have any inequalities been identified?

Explain how you will overcome this within the proposal.

Further information on how to do data analysis can be found in the guidance.

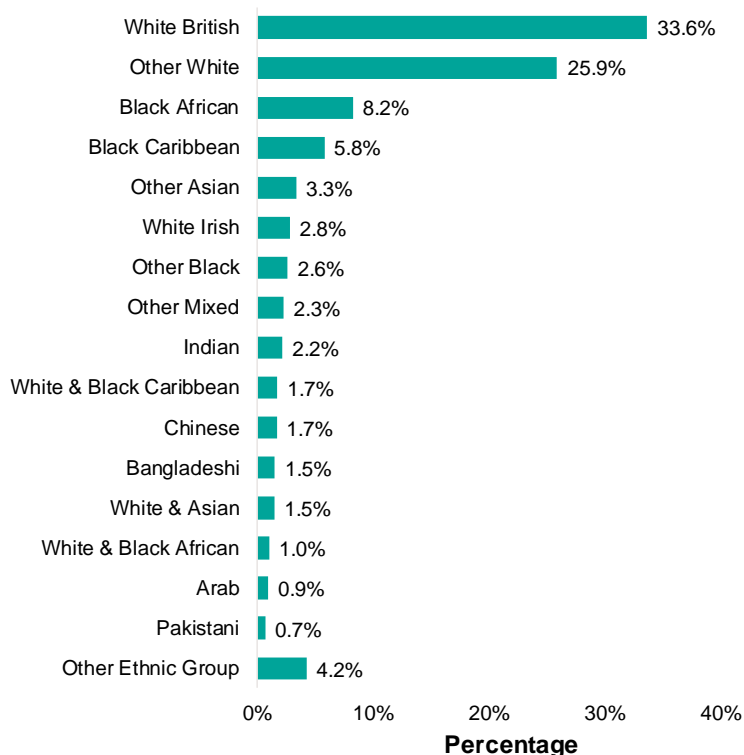
General

We currently collect no data about applicants for licences. This could be addressed by the inclusion of a questionnaire/survey form with application packs but this would only work for those who apply using paper applications. Applications are increasingly being submitted through an E-Gov portal which we have no control over and which does not facilitate collection of such data.

Population of Haringey:

Haringey has a young, ethnically diverse population. The total resident population in Haringey is 282,904 and BME or Other White ethnic groups account for 63% of the resident population.

Distribution of population by ethnic group, Haringey, 2018



Applicants for licences have to fill in a prescribed form, and the Act is clear that each application must be treated on its individual merit, and be judged against the four licensing objectives. The Act cannot be used to impose conditions or address matters that are covered by any other existing legislation.

Sex

The impact of alcohol on health is not a licensing objective neither is the consumption of alcohol a licensing objective. However Public Health studies advise that

- More alcohol is consumed by men than women in the borough.
- Men are more likely to be the victims of crime
- Women are more likely to be victims of domestic violence which is high in Haringey.
- Levels of feelings of safety between the sexes

There is no data held on the sex of those making the applications due to limitations on amending the information applications are required to submit.'

Age

The Act prohibits the sale of alcohol to those under 18, but does allow under 18's to enter licensed premises, although this is at the discretion of the management. The protection of children from harm is a licensing objective. Haringey Trading Standards carry out regular test purchasing operations designed to detect under age sales of alcohol to children. The new policy is tighter on action following such sales, with those responsible now facing action after just one failure, as opposed to three currently. A significant proportion of new licences now have conditions attached requiring licence holders to have a 'challenge 25' policy where those who look under 25 are asked for photo ID before a sale can be made.

No other age related issues have been identified.

There is no data held on the age of those making the applications due to limitations on amending the information applications are required to submit.

Race and Ethnicity

There is no data held on the race or ethnicity of those making the applications due to limitations on amending the information applications are required to submit.

Health

Local Health Bodies are now responsible authorities; this gives them the ability to make representations about applications for licences and to initiate reviews of licences, however health is not itself a licensing objective which inhibits them. They are working towards providing data that would be meaningful at a local level (i.e. smaller than a borough wide profile) which will prove useful.

The Local Alcohol Profile for England compiled by Public Health England shows Haringey as significantly worse than average for the following:
 Alcohol specific hospital admission male;
 Alcohol attributable hospital admission male.
 And slightly better than average for:
 Alcohol specific hospital admission under 18.

The Policy feeds into corporate policies and outcomes. One of the licensing objectives is the reduction of crime and disorder, this will be achieved by the imposition of appropriate conditions to licences and where necessary enforcement, review of licences

and revocation.

4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?

Please outline which groups you may target and how you will have targeted them

Further information on consultation is contained within accompanying EqIA guidance

The consultation was emailed out to:

- Local Residents and Tenants associations
- Responsible Authorities
- Local Businesses
- Religious bodies and organisations
- Relevant and associated business organisations
- Regeneration Team
- Local holders of on & off licences,
- Licence holders
- Local Councillors

4. b) Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

Explain how will the consultation's findings will shape and inform your proposal and the decision making process, and any modifications made?

No responses that affect the groups that share the protected characteristics have been made during the consultation period.

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

Please explain the likely differential impact on each of the 9 equality strands, whether positive or negative. Where it is anticipated there will be no impact from the proposal, please outline the evidence that supports this conclusion.

Further information on assessing impact on different groups is contained within accompanying EqlA guidance

Below is an initial assessment of the impact against groups with protected characteristics. This will be updated following consultation.

1. Sex (Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)

Positive	<input checked="" type="checkbox"/>	Negative	<input type="checkbox"/>	Neutral impact	<input type="checkbox"/>	Unknown Impact	<input type="checkbox"/>
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The principal conclusion of this EIA is that there is no negative impact on any characteristic, and some positive impacts as a result of the new policy. Moving forward taking a long term view the input from Public Health and the increasing work being carried out is anticipated to have a significant positive impact.

The policy references schemes such as Ask for Angela as a means of providing safe access for women and the vulnerable who may be in difficulty situations in the night time economy.

2. Gender reassignment (Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)

Positive	<input type="checkbox"/>	Negative	<input type="checkbox"/>	Neutral impact	<input type="checkbox"/>	Unknown Impact	<input checked="" type="checkbox"/>
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3. Age (Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)

Positive	<input checked="" type="checkbox"/>	Negative	<input type="checkbox"/>	Neutral impact	<input type="checkbox"/>	Unknown Impact	<input type="checkbox"/>
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Legislation requires alcohol can only be sold to those over the age of 18, thereby setting in place safeguards to ensure necessary checks are carried out if in doubt to protect any who may look underage.

4. Disability *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive		Negative		Neutral impact	X	Unknown Impact	
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5. Race and ethnicity *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive	X	Negative		Neutral impact		Unknown Impact	
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There are no apparent adverse impact on different race groups at the moment. Forms are only provided in English and there is no scope for monitoring on the forms.

Objectors to licence applications come from across the community.

6. Sexual orientation *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive	X	Negative		Neutral impact		Unknown Impact	
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There is no adverse impact. Anyone affected by the operation of a licensed premises or an application for a premises licence is able to make representation in line with the four licensing objectives.

7. Religion or belief (or no belief) *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive	X	Negative		Neutral impact		Unknown Impact	
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There is no adverse impact. Anyone affected by the operation of a licensed premises or an application for a premises licence is able to make representation in line with the four licensing objectives.

8. Pregnancy and maternity *(Please outline a summary of the impact the proposal will have on this protected characteristic and cross the box below on your assessment of the overall impact of this proposal on this protected characteristic)*

Positive	X	Negative		Neutral impact		Unknown Impact	
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There is no adverse impact. Anyone affected by the operation of a licensed premises or an application for a premises licence is able to make representation in line with the four licensing objectives.

9. Marriage and Civil Partnership *(Consideration is only needed to ensure there is no discrimination between people in a marriage and people in a civil partnership)*

Positive	X	Negative		Neutral impact		Unknown Impact	
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There is no adverse impact. Anyone affected by the operation of a licensed premises or an application for a premises licence is able to make representation in line with the four licensing objectives.

10. Groups that cross two or more equality strands e.g. young black women

The process is set in legislation and is open to all who wish to offer licensable activity from their premises located in Haringey.

Outline the overall impact of the policy for the Public Sector Equality Duty:

- Could the proposal result in any direct/indirect discrimination for any group that shares the relevant protected characteristics?
- Will the proposal help to advance equality of opportunity between groups who share a relevant protected characteristic and those who do not?

This includes:

- a) Remove or minimise disadvantage suffered by persons protected under the Equality Act
- b) Take steps to meet the needs of persons protected under the Equality Act that are different from the needs of other groups

c) Encourage persons protected under the Equality Act to participate in public life or in any other activity in which participation by such persons is disproportionately low

- Will the proposal help to foster good relations between groups who share a relevant protected characteristic and those who do not?**

The principal conclusion of this EIA is that there is no negative impact on any characteristic, and some positive impacts as a result of the new policy, such as encouraging operators in the late night economy to develop schemes to assist women and the vulnerable to interact with staff if they feel at risk.

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Further information on responding to identified impacts is contained within accompanying EqIA guidance

Outcome	Y/N

6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty

Impact and which relevant protected characteristics are impacted?	Action	Lead officer	Timescale
The Licensing function suffers from a lack of equalities information, all local authorities have to use prescribed processes and forms produced by Central Government. These forms do not include equalities issues. The Government have not permitted application forms to contain anything except that which is specified in the regulations. This has had implications not just for future equalities impact assessments for	There is an active Responsible Retailers Scheme operating in the borough. This is to enable important messages and support and promote valuable awareness to retailers on retailing age restricted items in a responsible manner. Pub Watch scheme also operate as does face to face engagement with shops/retailers etc.		ongoing

<p>licensing consultation but also monitoring of Council interventions under the act. There is no multi-language material, and the timescale for dealing with applications is so short that no translation can be undertaken once an application has been received.</p> <p>The licensing process has many agencies and solicitors able to undertake the legal process to assist applicants to gain a licence.</p>	<p>Residents association /Traders association meetings and Area meetings /Ward Panel meetings are attended in order to ensure engagement and involvement with the various communities is maintained.</p> <p>The Licensing Policy only very indirectly has an impact on the issue of drinking and health. The promotion of health is not a licensing objective. The Licensing Authority has however, been an active participant in various sensible drinking campaigns. Public Health carried out activity on this topic, and it shows that elderly males can have their health adversely affected by drinking. This issue however is outside the remit of this policy.</p>		

Please outline any areas you have identified where negative impacts will happen as a result of the proposal but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.

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6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:

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7. Authorisation

EqlA approved by
(Assistant Director/ Director)

Date
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8. Publication

Please ensure the completed EqlA is published in accordance with the Council's policy.

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Please contact the Policy & Strategy Team for any feedback on the EqlA process.