



Equality Impact Assessment

Name of Project	Revision of Statement of Licensing Policy	Cabinet meeting date <i>If applicable</i>	10 th November 2015
Service area responsible	Regulatory Services		
Name of completing officer	Daliah Barrett	Date EqIA created	15 th October 2015
Approved by Director / Assistant Director	Stephen McDonnell	Date of approval	

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity between those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them.

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

Haringey Council also has a 'Specific Duty' to publish information about people affected by our policies and practices.

All assessments must be published on the Haringey equalities web pages. All Cabinet papers MUST include a link to the web page where this assessment will be published.

This Equality Impact Assessment provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above, for more information about the Council's commitment to equality; please visit the Council's website.

Stage 1 – Names of those involved in preparing the EqIA	
1. Project Lead	Daliah Barrett
2. Equalities / HR	
3. EqIA Adviser (where necessary)	

Stage 2 - Description of proposal including the relevance of the proposal to the general equality duties and protected groups. Also carry out your preliminary screening (Use the questions in the Step by Step Guide (The screening process) and document your reasoning for deciding whether or not a full EqIA is required. If a full EqIA is required move on to Stage 3.

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 the 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

Stage 3 – Scoping Exercise - Employee data used in this Equality Impact Assessment
 Identify the main sources of the evidence, both quantitative and qualitative, that supports your analysis. This could include for example, data on the Council’s workforce, equalities profile of service users, recent surveys, research, results of recent relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national.

Data Source (include link where published)	What does this data include?

Stage 4 – Scoping Exercise - Service data used in this Equality Impact Assessment
 This section to be completed where there is a change to the service provided

Data Source (include link where published)	What does this data include?
The Policy contains data on alcohol health harm sourced from Public Health England and sits in the document as background information. Health harm is not a licensing objective so matters cannot be determined on this criteria.	The data shows alcohol health related harm in women and men at various adult ages.

Stage 5a – Considering the above information, what impact will this proposal have on the following groups in terms of impact on residents and service delivery:

Positive and negative impacts identified will need to form part of your action plan.

	Positive	Negative	Details	None – why?
Sex	We have inserted guidance in the policy around staff being empowered to deal with violence against women and girls/violence in general on licensed premises.			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.
Gender Reassignment			No impact	
Age	The Policy now reflects guidance on awareness on prevention of child sexual exploitation on licensed premises.		<p>The statutory guidelines highlight the protection of children as a key objective of the policy. As a result the policy addresses issues relating to children in the following way</p> <ul style="list-style-type: none"> • Applicants will have to consult with the Children Safeguarding Officer. • The Council may impose conditions limiting access to children where there have been convictions for 	

			<p>serving alcohol to minors or with a reputation for underage drinking</p> <ul style="list-style-type: none"> • with a known association with drug taking or dealing • where there is a strong element of gambling on the premises • where entertainment of an adult nature is commonly provided <p>The Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:</p> <ul style="list-style-type: none"> • Limitations on the hours when children may be present. • Limitations on ages below 18 • Limitations or exclusion when certain activities are taking place • Requirements for an accompanying adult • Full exclusion of 	
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			people under 18 from the premises when any licensable activities are taking place	
Disability			Under the Disabilities Discrimination Act 1995 all business premises should be making arrangements to allow access to premises for all people with disabilities. This is a legal requirement outside of the Licensing Act 2003.	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.
Race & Ethnicity	We have also written into the policy that there is a clear requirement of good understanding of spoken and written English by licence holders.		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.	
Sexual Orientation			No impact	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.

Religion or Belief (or No Belief)				Premises that are primarily places of public worship are exempt from the Licensing Act 2003, and therefore outside the policy. Also exempt are all acts of religious worship, wherever they occur.
Pregnancy & Maternity				There is no adverse impact
Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))			No Impact	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.

Stage 5b – For your employees and considering the above information, what impact will this proposal have on the following groups: Positive and negative impacts identified will need to form part of your action plan.

	Positive	Negative	Details	None – why?
Sex				Staff dealing with licensing matters are not affected as there is a prescribed process that has to be followed by the Council and the applicant and any residents that wish to make representataion.

Gender Reassignment				
Age				
Disability				
Race & Ethnicity				
Sexual Orientation				
Religion or Belief (or No Belief)				
Pregnancy & Maternity				
Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))				

Stage 6 - Initial Impact analysis	Actions to mitigate, advance equality or fill gaps in information
<p>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 licensing consultation but also monitoring of Council interventions under the act.</p> <p>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>We may have to consider addressing this locally by carrying out some consultation. Questionnaires placed within application packs have not been responded to in the past.</p>	<p>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.</p> <p>Pub Watch scheme also operate as does face to face engagement with shops/retailers etc.</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,</p>

	and it shows that elderly males can have their health adversely affected by drinking. This issue however is outside the remit of this policy.
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Stage 7 - Consultation and follow up data from actions set above	
Data Source (include link where published)	What does this data include?
<p>The policy was emailed out to:</p> <ul style="list-style-type: none"> • Local Residents and Tenants associations • Responsible Authorities • Local Businesses • Religious bodies and organisations • Relevant and associated business organisations • Regeneration Team • Parks Service • Local holders of on & off licences, • Licence holders • Local Councillors • businesses and a sample of residents who have been involved in a reviews of a specific individual Premises Licences under the Licensing Act 2003 	<p>No responses were received</p>

Stage 8 - Final impact analysis
<p>The service is primarily a reactive service. Businesses and individuals are required to be granted a licence before they can carry out the Licensable activity. Guidance and information is available for businesses. When applications are made a prescribed consultation process has to take place. Guidance and advice is also available to individuals who wish to make representations (objections) to an application. Officers of the service have had a number of meetings with local residents and their organisations about triggering a review. Any objections are considered and if valid objections are received applications are decided by a Licensing Sub Committee. If no objections are received Officers will have delegated authority to grant licences.</p> <p>Unlicensed activity and compliance will be monitored by Licensing enforcement. Enforcement activity is governed by the Enforcement concordat and there are multiple steps utilised to enforcement against operators starting with an initial warning.</p>

Stage 9 - Equality Impact Assessment Review Log

Review approved by Director / Assistant Director	<input type="text"/>	Date of review	<input type="text"/>
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Stage 10 – Publication

Ensure the completed EqIA is published in accordance with the Council’s policy.