

## PART B – Equality Analysis Form

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

This form:

- Can be used to prompt discussions, ensure that due regard has been given and remove or minimise disadvantage for an individual or group with a protected characteristic
- Involves looking at what steps can be taken to advance and maximise equality as well as eliminate discrimination and negative consequences
- Should be completed before decisions are made, this will remove the need for remedial actions.

Note – An Initial Equality Screening Assessment (Part A) should be completed prior to this form.

When completing this form consider the Equality Act 2010 protected characteristics Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc. – see page 11 of Equality Screening and Analysis Guidance.

1. Title	
<b>Equality Analysis title:</b> Licensing Act 2003 Statement of Licensing Policy 2020-2025	
<b>Date of Equality Analysis (EA):</b> 27 <sup>th</sup> February 2020	
<b>Directorate:</b> Regeneration and Environment	<b>Service area:</b> Community Safety and Street Scene
<b>Lead Manager:</b> Tom Smith	<b>Contact number:</b> 01709 822025
<b>Is this a:</b> <input checked="" type="checkbox"/> <b>Strategy / Policy</b> <input type="checkbox"/> <b>Service / Function</b> <input type="checkbox"/> <b>Other</b>  <b>If other, please specify</b>	

**2. Names of those involved in the Equality Analysis (Should include minimum of three people) - see page 7 of Equality Screening and Analysis Guidance**

Name	Organisation	Role (eg service user, managers, service specialist)
Ben Mitchell	RMBC	National Management Trainee
Tom Smith	RMBC	Assistant Director
Alan Pogorzelec	RMBC	Licensing Manager
Steve Eling	RMBC	Policy Officer

**3. What is already known? - see page 10 of Equality Screening and Analysis Guidance**

**Aim/Scope (who the Policy/Service affects and intended outcomes if known)**

This may include a group/s identified by a protected characteristic, others groups or stakeholder/s e.g. service users, employees, partners, members, suppliers etc.)

The Council is responsible for licensing the sale and supply of alcohol; regulated entertainment; and the sale of hot food and drink between 11pm and 5am under the Licensing Act 2003. Such premises are referred to as 'licensed premises'.

These premises have an important role in the borough's economy and can fulfil important social and community roles. There are over 700 premises licensed by the Council under this Act, showing the importance of the trade across the borough.

The Council's Statement of Licensing Policy should strike a balance between encouraging a dynamic entertainment industry, whilst ensuring that health and public disorder are effectively addressed.

There are a number of groups who may be impacted by the revised policy, including service users, licensees, employees and communities.

**What equality information is available? (Include any engagement undertaken)**

The Council have carried out a full and wide-reaching consultation to the policy, undertaken over twenty weeks between June 2019 and February 2020.

The first stage of consultation focused on broad issues attributable to licensed premises, and the harms that they may pose through health, public order and crime. The Council received 70 responses to the first stage of consultation over twelve weeks, with the majority of respondents concerned about the licensing of alcohol premises. Respondents believed the Council had a role in protecting residents from the harms associated to alcohol.

As well as an online survey, the Council arranged six drop-in sessions in different urban

centres across the borough, to identify any particular areas that may more vulnerable to alcohol-related harms, or where the density of premises was causing a negative impact. Through the consultation, 50% of respondents identified Wickersley as an area where the density of premises was having a negative impact on the community.

The Council drafted a revised policy based on the first stage of consultation, which was then consulted upon for a further eight weeks. A full consultation process was again carried out, which included drop-in sessions across the borough, forums and representative groups, and an online survey.

The second stage of consultation received 44 responses between January and February 2020, as well as formal responses from various statutory consultees. Respondents believed that public health issues and data relating to alcohol-related harm should be assessed when making licensing decisions and that in sensitive areas, the granting of further licenses may have a negative impact. Furthermore, respondents agreed that the licence holders and their staff should have better training to protect vulnerable people and those with protected characteristics from harm, and that DBS checks may be necessary in some scenarios, especially when children are involved.

Although not a protected characteristic, there is clear evidence which states that the harms of alcohol are exacerbated by socio-economic deprivation. The Council must have particular regard for this group when determining their licensing policy to ensure that these people are not indirectly impacted more than other groups by the implementation of the policy.

**Are there any gaps in the information that you are aware of?**

Although the Council hold equalities data for those people who hold a licence within the borough, there is currently no information regarding the people who are employed in those premises.

Furthermore, there is not any evidence as to the demography of those who use licensed premises, so it is difficult to fully understood the potential impact of the policy on different groups who may use these services.

However, the Council do have access to data surrounding deprivation and health outcomes for the borough, which identifies a clear link between deprivation and alcohol-related harm.

**What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?**

The Council is statutorily obliged to publish a Joint Strategic Needs Assessment (JSNA). This takes into account data and intelligence regarding the current and future health needs of the borough. A part of this assessment is related to alcohol and health behaviours, which assesses all of the data that the Council can access on how alcohol contributes to the health of the borough.

Through the Licensing Act 2003, the Council can review licenses where the Council consider that one or more of the licensing objectives are being undermined. The Council constantly monitor licensed premises and the conditions that they must adhere to, to ensure that the public are continually safeguarded from the harms related to the

consumption of alcohol.	
<b>Engagement undertaken with customers. (date and group(s) consulted and key findings)</b>	A full consultation on the revised policy has been undertaken, totalling twenty weeks of consultation. This has aimed to engage a wide range of stakeholders, including licensees, members of the public and other interest parties.
<b>Engagement undertaken with staff (date and group(s) consulted and key findings)</b>	A full consultation on the revised policy has been undertaken, totalling twenty weeks of consultation. This has aimed to engage a wide range of stakeholders including staff, both that work for the Council and its partner agencies, such as the Police, Fire Authority and colleagues in Public Health.

#### 4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)

**How does the Policy/Service meet the needs of different communities and groups?** (Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity) - see glossary on page 14 of the Equality Screening and Analysis Guidance)

The adoption of this policy will support the Council and the communities it's represents to have a higher level of confidence in the licensing process. A number of changes will have a positive impact on local communities, such as the creation of a 'Cumulative Impact Policy', which details how the Council can minimise the impact caused by a high density of licensed premises within certain areas.

Furthermore, a number of model conditions have been included in the revised policy which aim to tackle issues relating to gender. The Council have recommended that all premises take part in the 'Ask for Angela' scheme, which provides a discreet way for people who may be vulnerable to leave a premise if they feel uncomfortable or unsafe with the person or persons they are meeting. It is also recommended that employees can discreetly provide details and signposting to domestic abuse support services if they are required by an individual. This helps to improve gender equality within licensed premises, recognising that people may enter a vulnerable situation when in a premise, and gives responsibility to licensees to minimise the risk to these customers.

Within the policy, the Council have included a statement which commits the authority to preventing and tackling all forms of exploitation, and gives information regarding Child Sexual Exploitation and wider forms of Child Exploitation to applicants and licensees to make them more aware of these issues. The Council also encourage applicants to work in partnership with the police and the Council's MASH team in order to sufficiently take into account these issues.

Although not a protected group, the Council have also identified the link between deprivation and alcohol related harm as a key impact of the policy. To support this group

of people, the Council have introduced model conditions relating to the banning of single can sales in some areas, promoting and providing a good range of readily available low-alcohol drinks, and provide discreet information for alcohol abuse support groups.

Public Health, under guidance from Public Health England, have created a 'licensing toolkit', which aims to inform licensing decision-making and allow decisions to be made with contextual information regarding health and health outcomes. This toolkit works at an LSOA level which means that individual communities and neighbourhoods can be targeted, based on the risk rating attached to it. This allows the Council to understand which communities may be at more risk of further licensed premises and may help to address issues regarding deprivation and density of premises.

**Does your Policy/Service present any problems or barriers to communities or Groups?**

As the policy only interacts with licensees, applicants, or decision makers, there shouldn't be any barriers for particular communities/ groups when accessing the policy. However, the Council do have regard for the fact that the overall aim of the policy is to support those at risk.

**Does the Service/Policy provide any positive impact/s including improvements or remove barriers?**

The Council hope that the revised policy will have a number of positive impacts, and will remove barriers for particularly vulnerable groups in regards to licensed premises.

By improving the number of model conditions related to domestic abuse, the Council believe that those impacted by domestic abuse may find it easier to access support, or leave situations that could pose an immediate threat.

The improvement in model conditions for single can sales of high strength alcohol, as well as the promotion of low-alcohol alternatives may also provide a positive impact for those at highest risk of alcohol-related harm.

**What affect will the Policy/Service have on community relations? (may also need to consider activity which may be perceived as benefiting one group at the expense of another)**

When considering community relations, the Council believe that the introduction of a Cumulative Impact Policy could improve relations with communities where there have been issues relating to the licensed premises, or the number of licensed premises, within a specific area. The Council is currently proposing to implement a Cumulative Impact Assessment in Wickersley. It is hoped that this will improve relations between the community and the Council, as well as between residents and members of the licensed trade.

Please list any **actions and targets** that need to be taken as a consequence of this assessment on the action plan below and ensure that they are added into your service plan for monitoring purposes – see page 12 of the Equality Screening and Analysis Guidance.

## 5. Summary of findings and Equality Analysis Action Plan

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic - See page 11 of the Equality Screening and Analysis guidance

<b>Title of analysis:</b> Licensing Act 2003 Statement of Licensing Policy
<b>Directorate and service area:</b> Regeneration and Environment, Community Safety and Street Scene
<b>Lead Manager:</b> Tom Smith, Assistant Director, Community Safety and Street Scene
<b>Summary of findings:</b>
This assessment has shown the wide-ranging consultation that has been undertaken by the Council in relation to the revised Licensing Act 2003 Statement of Licensing Policy. The Council have introduced new aspects to the policy that aim to have a positive impact on specific protected characteristics, including age and gender. Furthermore, the Council has recognised that socio-economic deprivation has a clear impact on alcohol-related harm and has introduced new parts of the policy that aim to minimise the risks that this group may face from licensed premises. Finally, through the introduction of a Cumulative Impact Policy, the Council believe that community relations between both the Council, and members of the licensed trade, will improve significantly, giving the public more confidence in the licensing process, and the premises that it regulates.

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
To further assess communities where Cumulative Impact Assessments may be beneficial when considering the issues and harms related to licensed premises.	O	

**\*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups**

## 6. Governance, ownership and approval

Please state those that have approved the Equality Analysis. Approval should be obtained by the Director and approval sought from DLT and the relevant Cabinet Member.

Name	Job title	Date
Tom Smith	Assistant Director, Community Safety and Street Scene	28/08/20
Paul Woodcock	Strategic Director, Regeneration and Environment	04/03/20

## 7. Publishing

The Equality Analysis will act as evidence that due regard to equality and diversity has been given.

If this Equality Analysis relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date Equality Analysis completed</b>	27/02/20
<b>Report title and date</b>	Licensing Act 2003 Statement of Licensing Policy
<b>Date report sent for publication</b>	04/03/20
<b>Date Equality Analysis sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	03/03/20