

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	
Equality Analysis title: Licensing Act Policy 2025	
Date of Equality Analysis (EA): 29/7/25	
Directorate: R&E	Service area: CSSS
Lead Manager: Alan Pogorzelec	Contact number: 01709 254955
Is this a: ☒ Strategy / Policy ☐ Service / Function ☐ Other	
If other, please specify	

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)
Alan Pogorzelec	Rotherham MBC	Licensing Manager
Diane Kraus	Rotherham MBC	Principal Licensing Officer
Lisa Parkin	Rotherham MBC	Licensing Enforcement 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.)

Section 5 of the 2003 Act requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the licensing objectives are being met. If the licensing authority determines and publishes its policy in this way, a new five-year period commences on the date it is published.

The Council's Statement of Licensing Policy should strike a balance between the need to encourage a vibrant and dynamic entertainment industry as part of the regeneration of the Borough, whilst ensuring that the Licensing Objectives specified in the Act are sufficiently promoted. The Licensing Objectives are:

- The prevention of crime and disorder,
- The promotion of public safety,
- The protection of children from harm,
- The prevention of public nuisance.

The way that licensable activities are managed on site can often influence the wider issues that arise through the sale and supply of alcohol or the provision of late-night refreshment. Critically, there are areas of the Statement of Licensing Policy that can direct the way that establishments are managed and operated, including setting standards for training around key priorities through to requirements for security staff and their training and accreditation.

It is for this reason that the draft Policy includes additional sections relating to specific aspects of the licensed economy. It is expected that the inclusion of these sections within the Policy will encourage applicants and licence holders to adopt best practice, and clearly set out the Council's expectations with regard to the activities that take place at licensed premises.

It is recognised that many of the principles that were consulted upon are aspirational in nature, and it will be made clear within the Policy that although the Council has certain expectations of licensed premises in the Borough, the principles within the Policy will only be mandated if they are required to prevent one or more of the Licensing Objectives from being undermined.

Despite the limitations of the Licensing Act and Statement of Licensing Policy, it is nonetheless considered important that the Council provides appropriate best practice guidance and encourages local licence holders to go beyond the minimum that is required with the ultimate aim of ensuring that licensed premises are safe and enjoyable places to be, and that the activities that take place there have minimal negative impact on local communities and the wider environment.

The Council is mindful that there is a need to encourage and facilitate growth and development within the Borough, and the licensed trade have an obvious role in this. It is therefore important that the Statement of Licensing Policy does not deter appropriate development and investment within the Borough, and the draft Policy is considered to strike the correct balance between encouraging economic growth and minimising any negative impacts on those that may be affected by the activities that are taking place.

Subject to Cabinet approval, the policy will be presented to Council as soon as possible, with a recommendation that the policy be adopted.

The Licensing Act Policy will then fall due for a further formal review in 2030.

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

The following information about Rotherham has been drawn from the 2021 Census:

Population

- Population estimates suggest the population is continuing to increase in its diversity with international migration, mainly from other EU countries. The 2021 census indicates the proportion of residents from ethnic minority communities increased from 8.1% in 2011 to 11.7% in 2021. The Pakistani community is the second largest ethnic group in Rotherham after White British, with 3.8% of residents in 2021 and 6.3% of school pupils in 2023.
- Rotherham's ethnic minority population is highly concentrated within the inner areas of the town centre in areas such as Boston Castle, Rotherham East and Rotherham West where 63.3% of the residents across the three wards are from ethnic minority backgrounds. The outer areas of Rotherham, however, are 95.3% White British in 2021. 42% of residents from ethnic minority backgrounds live in areas that are amongst the most deprived 10% of boroughs in England with that figure increasing for certain backgrounds. This compares to a borough background average of 19.5%.
- There is a decreasing trend in the number of residents who hold religious beliefs. In the 2021 Census 39.8% of residents identified as holding no religious beliefs, compared to 22.5% in 2011. The number of people reporting Christianity as their

religion has decreased from 66.5% in 2011 to 49% in 2021. The number of people reporting their religion as Muslim has increased from 3.7% in 2011 to 5.1% in 2021.

- The borough's population is ageing with 52,228 residents aged 65 or over. At 19.6% of the total population, an increasing proportion of residents fall within this age bracket, which is also above the national average of 18.4%. This proportion of the population aged 65 or over is forecast to increase further to around 21% by 2026, with a particularly large increase in the number of people aged over 75.

Economy

- 22% of Rotherham residents live within the 10% most deprived areas of England and the borough is amongst the 14% most deprived local authority areas in England. 11,904 children were living in "absolute poverty" (DWP, 2022/23).
- According to the Office of National Statistics Annual Survey of Hours and Earnings in 2024, Rotherham women's gross full-time earnings averaged £570 per week, which equates to 79.6% of men's full-time earnings locally and 84.7% of women's full-time earnings nationally.

Health and Wellbeing

- The 2021 Census recorded Rotherham as having 56,177 residents with a long-term health problem or disability with 9.8% responding that this limits their activity a lot, above the England average of 7.3%. There was an overall decrease in people with a disability from 12% in 2011 to 9.9% in 2021, but despite this health inequality remains.
- Life expectancy in the most deprived areas of Rotherham is 9.9 years lower for men and 9.5 years lower for women than in the least deprived. Gaps in healthy life expectancy are greater at over 18 years for men and nearly 20 years for women.

The consultation was wide ranging and specifically included engagement with a number of groups representing those with protected characteristics.

Before determining its policy, the licensing authority must consult the persons listed in section 5(3) of the 2003 Act. These are:

- the chief officer of police for the area;
- the fire and rescue authority for the area;
- each local authority's Director of Public Health (DPH)
- persons / bodies representative of local premises licence holders;
- persons / bodies representative of local club premises certificate holders;
- persons / bodies representative of local personal licence holders; and
- persons / bodies representative of businesses and residents in its area.

The views of all these persons or bodies should be given appropriate weight when the policy is determined.

Subject to the statutory requirements, it is for each licensing authority to determine the extent of the consultation it should undertake – with this in mind the Council has chosen to extend the consultation as follows:

- Members of the Licensing Committee.
- Members of the public via online consultation.
- Approximately 1,700 licence holders via email and directing mailing (where email addresses were not available).
- Andy's Man Club (national)
- Barnsley and Rotherham Chamber of Commerce
- Rotherham Investment and Development Office
- Rotherham Equalities Community Reference Group
- Rotherham Young Inspectors
- Rotherham Youth Cabinet
- Different but Equal Board
- Voluntary Action Rotherham
- RMBC Community Safety Team
- RMBC CCTV Team
- South Yorkshire Violence Reduction Unit

Consultation was carried out in this way so that as many views as possible could be obtained – including from vulnerable groups and groups that represent those sharing protected characteristics.

Each of the new proposals were subjected to a six-week period of consultation commencing in May 2025 and concluding in July 2025.

A total of 74 responses were received, all of these have been collated and analysed and have informed the development of the final policy statement.

Consultation respondents were given the opportunity to provide Equalities information during the completion of the survey. Of the 74 responses, 28 individuals provided this further information. The breakdown is as follows:

What is your age? (note - only 13 respondents provided their age)	35-44	2 (15%)
	45-54	8 (62%)
	55-64	3 (23%)
Which of the following describes how you think of your gender?	Male	14 (50%)
	Female	14 (50%)
Do you identify as transgender?	Yes	0 (0%)
	No	28 (100%)
Which of the following describes your sexual orientation?	Heterosexual / straight	23 (82%)
	Gay / Lesbian	2 (7%)
	Bisexual	3 (11%)
What is your current marital status?	Divorced / separated	9 (32%)

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	Living with partner	7 (25%)
	Married	9 (32%)
	Single	3 (11%)
Are you pregnant?	Yes	0 (0%)
	No	26 (93%)
	Prefer not to say	2 (7%)
Have you had a baby in the last 12 months?	Yes	0 (0%)
	No	26 (93%)
	Prefer not to say	2 (7%)
Do you have a disability or a condition which has lasted or expected to last for at least 12 months?	Yes	7 (25%)
	No	21 (75%)
What are your disability conditions? (represented as a proportion of those that have answered yes)	Long-term illness / health condition	4 (58%)
	Physical disability	3 (42%)
How would you describe your ethnic background?	Asian or Asian British – Indian	2 (7%)
	Black or Black British – African	2 (7%)
	White – British	24 (86%)
What is your religion?	Christian (all denominations)	11 (39%)
	No religion	17 (61%)
What is your refugee or asylum seeker status?	Neither	28 (100%)
Are you a carer?	Yes	3 (11%)
	No	25 (89%)

The principal findings of the consultation are outlined in the Cabinet report.

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

Most survey respondents declined the offer to provide additional information about themselves. Although the equalities data that has been obtained from the survey is relatively limited, it indicates that the responses are not proportionally representative of the Borough as a whole.

In addition, the data that we hold in relation to licence holders is minimal – however many licences are held by businesses / partnerships rather than individuals.

In the absence of any other information, and considering that the policy has the potential to impact on every resident / visitor to the Borough, it is considered most appropriate to use the Census data referred to above (along with additional data available on the Data Hub - [Community and Neighbourhoods – Rotherham Data Hub](#)) during this Equality Analysis.

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

Licensing officers will carry out monitoring to ensure that every application that is received is considered in accordance with this policy. In addition, service management will monitor enforcement activity to verify that this is conducted in accordance with the policy. Licensing officers and members of the Licensing Committee will receive training on the policy requirements and equalities matters generally.	
Engagement undertaken with customers. (date and group(s) consulted and key findings)	A six week period of public consultation commenced in May 2025 and concluded in July 2025. Certain groups and statutory consultees were also contacted during the consultation period and asked to provide their views on the policy proposals (further detail is provided in section 3 above).
Engagement undertaken with staff (date and group(s) consulted and key findings)	All licensing staff have been consulted on the policy proposals and have provided appropriate input. The staff group was generally in support of the proposals with staff noting the positive impact that the policy would have with regard to equality and inclusion and the use of licensed premises by people sharing a protected characteristic.

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) <u>Age</u> The Policy seeks to promote the licensing objectives under the Licensing Act 2003, which includes the Protection of Children from Harm. The policy seeks to introduce appropriate measures to promote this objective at a local level and to strengthen links to safeguarding. The promotion of a safe night time offer will help to protect all users from alcohol related crime and disorder and encourage a wider age range to enjoy a night out in a safe and responsible way. Whilst the overall effect is positive, some users of the current late-night offer may not wish to see significant change. <u>Disability</u> The Policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its relative merits. It does not discriminate on the grounds of disability. Licensed premises should comply with the Equality Act 2010.

Premises should seek to promote accessibility and inclusion. The Prevention of crime is one of the Licensing Objectives.

Licensed premises should make reasonable adjustments.

Sex and Gender Reassignment

The policy seeks to broaden the appeal of the nighttime economy for all and to promote a safe and welcoming offer.

New requirements are included with regard to gender-based violence.

Race

The policy is intended to ensure that the licensing regime is open and transparent, there is no evidence to suggest that the policy affects, or has the potential to affect, individuals of a particular ethnicity more significantly than others.

Religion or Belief

The provision of adult entertainment has the potential to be a concern to some within the local community – this may be for religious or secular reasons. The policy sets out a clear expectation with regard to the provision of adult entertainment and integrates with the Council's Sexual Entertainment Venue policy in this regard.

The policy does not have a direct impact on places of worship as these premises are exempt from the requirements of the Licensing Act (with regard to religious services) as are all acts of religious worship (wherever they occur).

Sexual Orientation

The Policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its relative merits. It does not discriminate on the grounds of sexual orientation. Licensed premises should comply with the Equality Act 2010.

Civil Partnerships and Marriage

There is no evidence to suggest that the policy will have a specific impact on individuals due to their marital status (negative or positive).

Pregnancy and Maternity

The policy does not discriminate on the grounds of pregnancy and / or maternity. The policy seeks to broaden the appeal and to promote more family friendly venues.

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

No problems or barriers have been identified. The Plan does not make specific reference to any protected characteristics, and ongoing monitoring as detailed above will be key to ensure any barriers are identified and addressed.
Does the Service/Policy provide any positive impact/s including improvements or remove barriers? The policy makes reference to positive actions that those affected by the policy can take to improve the experience of those with protected characteristics when using licensed premises, these include: • Promotion of equality • Disabled access • Promotion of cultural activities • Women's Safety Further details are contained within the policy document.
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) No negative impacts are expected.

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

Title of analysis: Licensing Act 2003 – Statement of Policy
Directorate and service area: Regeneration and Environment, Community Safety and Street Scene
Lead Manager: Alan Pogorzelec
Summary of findings:
The analysis has shown that the policy may have an impact on some individuals with a protected characteristic, however this impact will be positive and should enhance their experience when using licensed premises. The Policy is consistent with the Licensing Act 2003, and the guidance issued in this regard. It does not override the primary legislation or the Equality Act 2010 (which licensed premises must comply with), and does not discriminate on the grounds of any protected characteristic.

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
All applications to be monitored for compliance with policy requirements and impact on protected characteristics.	A, D, S, GR, RE, RoB, SO, PM, CPM, C, O	Ongoing
Training to be provided to licensing officers and members of Licensing Committee with regard to the policy requirements and impact on Equalities.	A, D, S, GR, RE, RoB, SO, PM, CPM, C, O	31/6/2026 (previously provided 25/6/2025)

***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
Sam Barstow	Assistant Director	1/8/25
Andrew Bramidge	Strategic Director	8/8/25
Councillor John Williams	Cabinet Member	4/8/25

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 For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.	
Date Equality Analysis completed	31/7/25
Report title and date	Licensing Act 2003 – Statement of Licensing Policy (Cabinet 15/9/25)
Date report sent for publication	
Date Equality Analysis sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	31/7/25