

**London Borough of Hackney
Equality Impact Assessment Form**

The Equality Impact Assessment Form is a public document which the Council uses to demonstrate that it has complied with Equality Duty when making and implementing decisions which affect the way the Council works.

The form collates and summarises information which has been used to inform the planning and decision making process.

All the information needed in this form should have already been considered and should be included in the documentation supporting the decision or initiative, e.g. the delegate powers report, saving template, business case etc.

Equality Impact Assessments are public documents: remember to use at least 12 point Arial font and plain English.

The form must be reviewed and agreed by the relevant Assistant Director, who is responsible for ensuring it is made publicly available and is in line with guidance. Guidance on completing this form is available on the intranet.

<http://staffroom.hackney.gov.uk/equalities-based-planning-and-decision-making>

Title of this Equality Impact Assessment:

Statement of Licensing Policy

Purpose of this Equality Impact Assessment:

To assess the proposed Statement of Licensing Policy as required under the Licensing Act 2003

Officer Responsible: *(to be completed by the report author)*

Name: David Tuitt	Ext: 4942
Directorate: Public Realm	Department/Division: Licensing Service

Director: Aled Richards	Date:
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Comment :

PLEASE ANSWER THE FOLLOWING QUESTIONS:

In completing this impact assessment, you should where possible, refer to the main documentation related to this decision rather than trying to draft this assessment in isolation.

STEP 1: DEFINING THE ISSUE

1. Summarise why you are having to make a new decision

The Licensing Act 2003 requires each local authority to publish a Statement of Licensing Policy and review it at least once every five years. This Statement must establish the principles to be applied when determining applications under the Act, such as applications for the sale/supply of alcohol, regulated entertainment and the provision of late night refreshment. The Act specifies that the Policy must promote the four licensing objectives, which are:

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

2. Who are the main people that will be affected? Consider staff, residents, and other

- Any persons, businesses or organisations making applications under the Licensing Act 2003 for premises licences, club premises certificates, provisional statements, personal licences, or review of premises licence or club premises certificate.
- Responsible authorities under the Licensing Act 2003 and “other persons” when making representations on applications.
- Any person giving a standard temporary event notice that has received an objection from the Police and/or Environmental Health.
- Residents, visitors and other businesses
- Licensing Committee members, along with all other Ward Councillors
- Local Magistrates’ in the event of an appeal

STEP 2: ANALYSING THE ISSUES

3. What information and consultation have you used to inform your decision making?

- Licensing Act 2003
- Guidance issued by the Home Office under section 182 of the Licensing Act 2003
- Cumulative Impact assessment which includes:
 - Crime data analysis which highlights a correlation between the locations of premises licensed under the Licensing Act 2003 and certain types of crime (theft offences and violent crime).
 - Call out data provided by the London Ambulance Service which highlights a correlation between the locations of alcohol related ambulance pick-ups and concentrations of licensed premises.
- Data held by the Licensing Service
- Findings of the Hackney Evening and Night-time Economy Behaviour Study
- Findings of the Cost Benefit Analysis of Hackney’s Evening and Night-time

Economy

- Outcome of the Night-time Economy Survey 2016
- Licensing Policy Steering Group
- Consultation on the draft Statement of Licensing Policy

Equality Impacts

4. Identifying the impacts

This section requires you to set out the positive and negative impacts that this decision or initiative will have on equalities.

For example:

- When you change a service you should consider whether you are **discriminating or disadvantaging users or staff** as a consequence of their protected characteristics. Consider physical barriers, timing, cost and perceptions that might make access difficult or discourage different groups or communities from accessing the service and explain how you will make services accessible to those who need them.
- Services should aim **to deliver improvements for groups** who may be more likely to experience inequalities, discrimination and disadvantage. For example are there differential outcomes between particular groups and the population overall that you need to consider?
- Services should seek to **promote good relations between groups**. For example if services are reducing, changing or being decommissioned as a result of budget reductions, there should not be **disproportionate impacts** on some people relative to others, as a consequence of their protected characteristics.

4 (a) What positive impact could there be overall, on different equality groups, and on cohesion and good relations?

The Licensing Policy sets out expectations for how the Council, Responsible Authorities such as the Police and Planning Authority, applicants for licence/certificates will promote the licensing objectives; namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. As a result of this review there is likely only to be a positive impact across all equality groups by promoting inclusion and balancing the needs of the wider community.

4 (b) What negative impact could there be overall, on different equality groups, and on cohesion and good relations?

Where you identify potential negative impacts, you must explain how these are justified and/or what actions will be taken to eliminate or mitigate them. These actions should be included in the action plan.

The Licensing Act 2003 is generally permissive. However, in the areas defined as Special Policy Areas, it is the Council's policy that where a relevant representation is made to any application, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is being experienced in these areas. This may be perceived as a negative impact on some groups.

Paragraph 14.52 of the Home Office guidance states that "...Statements of licensing policy should set out the licensing authority's approach regarding licensed opening hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area..."

The 'Core Hours' have been designed to be generally aligned with hours of activity that have been deregulated by recent legislative measures, such as the Live Music Act 2012 and the Deregulation Act 2015. The hours are also based on the Council's own experience since the commencement of the Act. Furthermore, 23:00 to 07:00 are generally considered to be the 'night-time' hours hence the desire to place activities during late hours under more scrutiny whilst acknowledging that there may be slightly more tolerance at weekends.

The proposed Core Hours' policy should not be seen as a blanket approach. It should instead be treated as a guide for all parties involved in any licence application process. However, this may also be perceived as negative to some.

Applications are always considered on a case by case basis, assessing the merit of the application having regard to the Licensing Act 2003, the Home Office Guidance, the Licensing Policy and the four licensing objectives.

STEP 3: REACHING YOUR DECISION

5. Describe the recommended decision

This section requires a summary of the key objectives and outcomes of the decision or initiative. Clearly state:

- Describe the options you have considered and how you have reached your preferred option
- Describe the final option: what changes are proposed for staff, the delivery model and the level of resources
- What the key benefits (positive impacts) and risks (negative impacts) in terms of us meeting the Equality Duty that you identified under 4(1) and (b) and how has this consideration informed your final decision?
- How will you maximise the positive impacts and minimise or mitigate the negative impacts? You can signpost to the action plan below

STEP 4 DELIVERY – MAXIMISING BENEFITS AND MANAGING RISKS

6. Equality and Cohesion Action Planning

Please list specific actions which set out how you will address equality and cohesion issues identified by this assessment. For example,

- Steps/ actions you will take to enhance positive impacts identified in section 4 (a)
- Steps/ actions you will take to mitigate again the negative impacts identified in section 4 (b)
- Steps/ actions you will take to improve information and evidence about a specific client group, e.g. at a service level and/or at a Council level by informing the policy team (equality.diversity@hackney.gov.uk)

All actions should have been identified already and should be included in any action plan connected to the supporting documentation, such as the delegate powers report, saving template or business case.

No	Objective	Actions	Outcomes highlighting how these will be monitored	Timescales / Milestones	Lead Officer
1	Maintain/enhance positive impacts	Have regard to policy and Home Office guidance in all decisions where relevant.	Licensing Sub-Committees, and delegated decisions. Annual reporting to the Licensing Committee	Life cycle of the policy (up to 5 years)	David Tuitt – Business Regulation Team Leader (Licensing and Technical Support)
2	Mitigate any negative impacts	Consider all applications on a case-by-case basis	Licensing Sub-Committee, and delegated decisions. Annual reporting to the Licensing Committee	Life cycle of the policy (up to 5 years)	David Tuitt – Business Regulation Team Leader (Licensing and Technical Support)

3	Maintain/Improve information and evidence about a specific client group,	Annual reporting and monitoring of data and statistics	Annual reporting to the Licensing Committee	Annually	David Tuitt – Business Regulation Team Leader (Licensing and Technical Support)
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Remember

- Assistant Directors are responsible for ensuring agreed Equality Impact Assessments are published.
- Equality Impact Assessments are public documents: remember to use at least 12 point Arial font and plain English.
- Make sure that no individuals (staff or residents) can be identified from the data used.