

HDC Due Regard (Equality Analysis)

Due Regard (Equality Analysis) is an on-going proactive process which requires us to consider the effect our decisions are likely to have on local communities, service users and employees, particularly those most vulnerable and at risk of disadvantage.

This template has been designed to assist in the collation of information and evidence required to support the 'Due Regard' process when introducing new policies/procedures/functions and services or reviewing existing ones.

For help with this template please view the guidance document, which contains advice to assist you when you are considering the impact (both positive and negative) of the proposed actions on each of the protected equality characteristics.

Name of policy/procedure/function/service being analysed: Statement of Licensing Policy

Department and section: Licensing

Name of lead officer: Sarah Greenway

Other people involved (assisting or reviewing - including any service users or stakeholder groups etc.): Julie Clarke

Date assessment completed: 2nd February 2015

Step 1: Defining the policy/procedure/function/service

Is this a new, amended or reviewed policy? What are the aims, objectives and purpose and how will they be achieved? What are the main activities and which communities are likely to be affected by these activities? What are the expected outcomes?

Revised policy for Statement of Licensing Policy

The changes to the revised policy have been summarised as per below.

- New sub-section at 1.6 to include reference for the Live Music Act 2012 which came into force in on 1st October 2012.
- New subsection at 5 to note that the Licensing Authority is now included in the list of responsible authorities
- New sub-section at 8 in relation to Early Morning Restrictions Orders which may restrict sales of alcohol in the whole or part of the Licensing Authority area for any specified period between midnight and 6am.

- New sub-section at 9 in relation to a Late Night Levy which enables Licensing Authorities to raise a contribution from late-opening alcohol supplies towards policing the night-time economy
- New sub-section at 17 in relation to Standard Temporary and Late Temporary Event Notices.
- New sub-section at 18 for related policies to include Street trading policy
- New sub-section at 19 for Sex Establishment Venues.

Step 2: Data collection & evidence

What relevant evidence, research, data and other information do you have and is there any further research, data or evidence you need to fill any gaps in your understanding of the potential or known affects of the policy on different communities? Include quantitative data as well as qualitative intelligence such as community input and advice.

Currently we only hold limited information about people who apply for a licence. We do hold some information about places of birth and age but other than that these two characteristics nothing further is known. -It is intended that a monitoring form will be issued with all application forms in the future so that we have a better understanding of the characteristics of applicants to ensure a consistent level of service is applied and no group is disadvantaged..

Age. Applicants have to be 18 years of age to hold a licence. Age verification policy is a mandatory condition of a premises licence and occasional licences

Within a twelve month period the Licensing team would normally receive approximately 20 new applications for Premises Licences. No premise licence has never been refused, however as part of the process if a representation had been made, the application would be taken to Licensing Hearing Panel for consideration. It is understood that the changes made to the new policy would be minimal as it updating the policy with recent legislative changes.

Step 3: Consultation and involvement

Have you consulted and if so outline what you did and who you consulted with and why.

A full public consultation on the revised policy will be taking place for a period of 12 weeks. Once they have been received, responses will be taken into account to adapt the revised policy as necessary. Equality questions will form part of the questionnaire to enable

analysis of respondents to take place.

Formal consultation will also be undertaken as per Appendix B of the policy

The consultation will be open for a period of 12 weeks and will be available to view at www.harborough.gov.uk. Emails/letters will be sent out to draw attention to our consultation process.

Customer Services staff at Harborough District Council Offices will also encourage customers to complete the consultation. Staff will also be available to guide those who require assistance through the online questionnaire form. Copies of the consultation will also be made available upon request in alternative formats. The consultation documentation incorporates Plain English standards.

Step 4: Potential impact

Considering the evidence from the data collection and feedback from consultation, which communities will be affected and what barriers may these individuals or groups face in relation to Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities and also the potential impact on Community Cohesion. Remember people have multiple characteristics so the impact of a policy on a particular community may impact people within the community differently. Where possible include numbers likely to be affected.

Due to the limited nature of the updates to the policy. It is not anticipated that the proposed amendments will have a negative effect on the grounds of race, religion, gender, gender reassignment marriage or civil partnership status or sexual orientation.

Disability. Businesses have obligations under national equality legislation, which can include the requirement to make reasonable adaptations for people who have a disability. They also have an obligation to ensure that appropriate evacuation arrangements are in place in the event of an emergency, and that patrons who have a disability are made aware of these arrangements.

Age. The Statement of Licensing policy clearly recognises the need to protect children from harm, and is therefore relevant to the District's young people. The amendments should not significantly alter how safeguarding is delivered under this policy.

Caring Status (including pregnancy and maternity) It is not anticipated that the amendments will have a specific impact in relation to pregnancy and maternity, although the amendment around the provision of free drinking water may indirectly benefit pregnant women.

Overall, the revisions should provide a positive impact in relation to the limit of the sale of alcohol at particular times if required and also in relation to the Local Authority being able to apply for a late night levy if necessary towards the costs of policing the night-time economy. This would ensure that policing for other members of the community would not be compromised.

Step 5: Mitigating and assessing the impact

If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons. If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately. If you have identified adverse impact or discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. Consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs have identified can be addressed.

At this time there do not appear to be any negative impacts for any protected groups but this will be continually reviewed when considering responses to the consultation any any evidence that comes to light.t. .

Step 6: Making a decision

Summarise your findings and give an overview of whether the policy will meet Harborough District Council's responsibilities in relation to equality, diversity and human rights. Does it contribute to the achievement of the three aims of the Public Sector Equality Duty - eliminate unlawful discrimination, harassment, victimisation; advance equality of opportunity and foster good relations?

All key stakeholders have been and will continue to be consulted and involved in the revised policy. The Council has also taken into consideration policies from other local authorities in Leicestershire who have also undergone a revision process in the last two years.

Step 7: Monitoring, evaluation & review of your policy/procedure/service change

What monitoring systems will you put in place to promote equality of opportunity, monitor impact and effectiveness and make positive improvements? How frequently will monitoring take place and who will be responsible?

The Policy should be reviewed within five years in line with legislation – Licensing Act 2003

Equality Improvement Plan

Equality Objective :

Action: Review policy within 2 years of implementation

Officer Responsible: Sarah Greenway By when: 02/02/17

Equality Objective :

Action: Collate information on characteristics of consultation respondents

Officer Responsible: Sarah Greenway By when: 31/12/15

Equality Objective :

Action: Collate equality monitoring information with regard to people applying for licences

Officer Responsible: By when:

Equality Objective :

Action:

Officer Responsible: By when:

Signed off by: Elaine Bird

Date: 22nd April 2015

Once signed off, please forward a copy for publication to Julie Clarke, Equality and Diversity Officer
e-mail: j.clarke@harborough.gov.uk , telephone: 01858 821070.