

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place		
Service Area:	Public Protection (Licensing)		
Name of the proposal :	Statement of Policy and Cumulative Impact Assessment (Licensing Act 2003)		
Lead officer:	Lesley Cooke		
Date assessment completed:	14/02/22		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	In accordance with the requirements of the Licensing Act 2003, the Council has reviewed the Statement of Licensing and Cumulative Impact Assessment.
1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	Licensing Act 2003, Section 182 Guidance.
1.3	Who are the stakeholders and what are their interests?
	Licence holders, responsible authorities, other parties including the BID, residents and visitors to the city. They share a common interest in that York is safe, vibrant and an inclusive city.
1.4	What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.
	Under the 2003 Act licensing authorities have a legal duty to publish a Statement of Licensing Policy, this Policy must be reviewed at least every five years.

	<p>Under the 2003 Act licensing authorities can publish a Cumulative Impact Assessment (CIA), if there is the evidence base for such an assessment, if a CIA is published it must be reviewed at least every three years. City of York Council does publish a CIA which is referred to in the Policy.</p> <p>The current CIA and Policy were published in 2019, both documents have been reviewed.</p>
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Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data/supporting evidence	Reason for using
	Licensing Act 2003 and Section 182 Guidance	<p>Licensing authorities must take the Act and Guidance into consideration when reviewing their Policy. The Act states that any decisions taken by the licensing authority should aim to promote the licensing objectives:</p> <ul style="list-style-type: none"> • Prevention of crime and disorder • Public safety • Prevention of public nuisance • Protection of children from harm
	North Yorkshire Police provided the evidence for the CIA.	It is a legal requirement that the CIA must be evidence based. The evidence provided by the Police identified an area within the city centre, that due to the high concentration of licensed premises, there evidence of crime, disorder and ASB associated with the consumption of alcohol.
	Information gained from attending Op Safari and Erase meetings	CYC officers attend and work jointly with colleagues from the police, Fire Authority, YAS, BTP, BID, Make it York, rescue boats, universities, street angels, YBAC, Pubwatch.

	Through the Policy we can tackle some issues identified through these meetings and working together.
A 12 week consultation was undertaken, all holders of premises licences and club premises certificates, as well as Responsible Authorities, and interested parties (bodies representing the licensed trade, business groups, residents).	It is a legal requirement that a consultation must take place when the policy and/or CIA are reviewed. Responses to the consultation must be taken into consideration when determining the policy.
City of York Council Public Health provided updated stats relating to alcohol related harm in the city.	Within the Policy there is a section 'Local Factors', the section highlights the factors that are effecting the city in relation to alcohol, for example the numbers of alcohol related hospital admissions.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
	Gaps in data or knowledge	Action to deal with this
	Some groups choose not to engage with the consultation	We try to engage with as many parties as possible through the consultation process. We detailed at point 2.1 how we work closely with other CYC section and partner agencies to get a broad scope of matters.

Step 4 – Analysing the impacts or effects.

4.1	<p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p>Through the Policy we encourage a diverse city, with offerings for all age groups.</p> <p>Even though under 18's are not allowed to consume alcohol, one of the licensing objectives is to 'protect children from harm', the policy encourages family friendly premises where younger child can be free to go with the family.</p> <p>The policy encourages a variety and mix of high quality licensed premises that will appeal to a broad spectrum of people, including a well-used city centre, day and night, that is safe and accessible to all.</p> <p>In the CIA, the onus is on new applicants to demonstrate how they will not add to the existing impact that licensed premises in that area are having on the community, including the supply of alcohol to under 18's.</p>	Positive	Low
Disability	<p>Through the Policy we encourage a diverse city with offerings for everyone.</p> <p>The policy encourages a variety and mix of high quality licensed premises that will appeal to a broad spectrum of</p>	Positive	Low

	people, including a well-used city centre, day and night, that is safe and accessible to all.		
Gender	As above	Positive	Low
Gender Reassignment	As above	Positive	Low
Marriage and civil partnership	As above	Positive	Low
Pregnancy and maternity	As above	Positive	Low
Race	As above	Positive	Low
Religion and belief	As above	Positive	Low
Sexual orientation	N/A		
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	As above	Positive	Low
Low income groups	As above	Positive	Low
Veterans, Armed Forces Community	As above	Positive	Low
Other	As above		

Impact on human rights:			
List any human rights impacted.	None		

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a **POSITIVE** impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a **NEGATIVE** impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a **NEUTRAL** effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>By publishing the Policy and the CIA the council is giving a clear guide to licence holders, new applicants, responsible authorities and other parties with regards to how licensing matters will be dealt with by the authority, with the aim to promote the four licensing objectives.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
<p>- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	By reviewing the Policy and CIA, and consulting on the review, the council has met the legal requirements of the Licensing Act 2003. The EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
None			

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	It is a legal requirement that the Policy is reviewed at least once every five years and the CIA is reviewed at least once every three years.