

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Places		
Service Area:	Public Protection (Licensing)		
Name of the proposal :	Licensing Act 2003 and Gambling Act 2005 Sub-Committee Hearings		
Lead officer:	Lesley Cooke		
Date assessment completed:	26 July 2023		
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.
	To determine the format of licensing sub-committee hearings, whether hearings should be held remotely or in person. The Council has the Licensing Authority currently holds sub-committee hearings remotely, this practice has been queried.
1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	Licensing sub-committee hearings must be held in accordance with the requirements of the: <ul style="list-style-type: none">• Licensing Act 2003• The Licensing Act 2003 (Hearings) Regulations 2005• Gambling Act 2005• The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007

1.3	Who are the stakeholders and what are their interests?
1.4	What results/outcomes do we want to achieve and for whom?
	All parties to the hearing who register to speak: <ul style="list-style-type: none"> - Applicant whose application is determine by the sub-committee. - Representors (responsible authorities named within the above acts and other parties such as local resident) whose representation will be taken into consideration by the sub-committee when determining the application.
	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.
	To aid Members in determining the format of licensing sub-committee hearings.

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
	Informally sought views of council officers	They have knowledge and experience of licensing sub-committee hearings

Informally sought views of licensing agents of applicants and representors	As above

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

Step 4 – Analysing the impacts or effects.

4.1	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.
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Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	In person hearings – attending West Offices - Additional cost for those wishing to participate in the hearing. - A factor that may restrict/prevent them attending a hearing in person. - Prefer attending in person hearings. Remote hearings - No access to the internet. - Not confident or familiar with communication platform (Zoom). - Not confident or familiar with ringing into a remote hearing. - Greater accessibility to attend a hearing.	(-) (-) (+) (-) (-) (-) (+)	L L L L L L L
Disability	As above		
Gender	As above		
Gender Reassignment	As above		
Marriage and civil partnership	As above		
Pregnancy and maternity	As above		
Race	As above		

Religion and belief	As above		
Sexual orientation	As above		
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	As above		
Low income groups	As above		
Veterans, Armed Forces Community	As above		
Other	As above		
Impact on human rights:			
List any human rights impacted.	As above		

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>Licensing sub-committee hearings must be held in accordance with the legislation details in section 1.2 above. In person and remote hearings both meet the legal requirements. Members must consider the 'positive and negative' impact of in person and remote hearings.</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 changes to the proposal	No potential for unlawful discrimination or adverse impact has been demonstrated. The format of licensing sub-committee hearings can be reviewed at anytime if required.

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

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?

