

Winchester City Council

Equality Impact Assessment (EqIA)

Section 1 - Data Checklist

		Yes/No	Please provide details
1	Has there been any complaints data related to the policy or project you are looking to implement?	No	No complaints have been received in relation to the current Policy. The review will be subject to consultation as detailed report LR577.
2	Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented?	Yes	The Licensing Department and Service Lead for Public Protection have been consulted in advance of the report being considered by the Licensing and Regulation Committee.
3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	No	The Policy was previously reviewed in 2018 (adopted in 2019). No concerns have been raised.
4	Do you have any concerns regarding the implementation of this policy or project?	No	This review of the Policy will replace the current document, which does not give any concerns for implementation. The applicants must consider any changes made in the Policy, these changes may have an impact on their business.
5	Does any accessible data regarding the area which your work will address identify any areas of concern or potential problems which may impact on your policy or project?	Yes	Data that has been used to inform this analysis includes: <ul style="list-style-type: none"> - Census 2021 data covering the demographics of the Winchester district. - Experience of licensing officers in implementing this

		Yes/No	Please provide details
			policy in the past and interacting with different licence holders.
6	Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from an equality impact point of view?	Yes	<p>I have delivered and implemented previous reviews of this Policy and the Council's Statement of Licensing Policy with respect to Hackney Carriage and Private Hire Vehicles, Drivers and Private Hire Operators.</p> <p>There have been no previous concerns with the current Policy under the Licensing Act 2003.</p>
7	Are there any other issues that you think will be relevant?	Yes	<p>Although not a protected characteristic, the policy refers to the differential impacts of licensing on the rural and urban areas of the district. It is noted that licensed premises are more densely concentrated in urban areas such as the city centre – residents living in these areas may be disproportionately likely to be impacted by the anti-social behaviour and noise complaints that may accompany these licensed venues, for example. This is directly acknowledged in the Policy and is effectively mitigated by providing more support to these areas (such as additional policing and community support), and applying higher requirements in areas with dense residential properties.</p>

Section 2 - Your EqIA form

Directorate: Place	Your Service Area: Public Protection	Team: Licensing	Officer responsible for this assessment: Carol Stefanczuk	Date of assessment: 17/08/2023
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	Question	Please provide details
1	What is the name of the policy or project that is being assessed?	Statement of Licensing Policy (Licensing Act 2003)
2	Is this a new or existing policy?	Existing, with proposed changes for adoption in February 2024 for five years.
3	Briefly describe the aim and purpose of this work.	The Policy intends to provide guidance to applicants, licence holders, officers and Members of the Licensing Sub-Committee, in relation to applications and licences granted to premises providing alcohol, entertainment and late night refreshment. The Policy must be reviewed at least every five years, in line with the Licensing Act 2003.
4	What are the associated objectives of this work?	<ul style="list-style-type: none"> - To demonstrate how the Council will fulfil its legal obligations under the Licensing Act 2003. - To provide applicants and licence holders with guidance on requirements for applications/licences. - To provide the public with transparent information about the measures expected to promote the four licensing objectives; prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. - To outline the Council's decision-making process in relation to determining applications for these licences.
5	Who is intended to benefit from this work and in what way?	<ul style="list-style-type: none"> - Applicants and licence holders; access to full details of the Council's requirements and decision-making process - Council officers; guidance on decision making processes - Members; guidance on decision making processes

		- The public; access to details of how the Council expects applicants/licence holders to promote the four licensing objectives.
6	What are the outcomes sought from this work?	To review the Policy to have regard to the Home Office guidance issued under the Licensing Act 2003 – August 2023. The Policy supports the following Council Plan outcomes; <i>Vibrant Local Economy, Living Well</i> and <i>Your Services, Your Voice</i> .
7	What factors/forces could contribute or detract from the outcomes?	Amended guidance and/or changes to legislation.
8	Who are the key individuals and organisations responsible for the implementation of this work?	Service Lead for Public Protection Licensing Manager and Licensing Officers Portfolio Holder for Place and Local Plan Members of the Licensing and Regulation Committee Members of the Licensing Sub-Committee 'Responsible Authorities' under the Licensing Act 2003
9	Who implements the policy or project and who or what is responsible for it?	Service Lead for Public Protection Licensing Manager and Licensing Officers

		Please select your answer in bold . Please provide detail here.		
10a	Could the policy or project have the potential to affect individuals or communities on the basis of race differently in a negative way?	Y	N	The Policy has no adverse impact on racial groups.
10b	What existing evidence (either presumed or otherwise) do you have for this?	Data regarding applicants' or individuals' race is not collected as part of any application process and does not form part of the Council's decision making process when determining applications licences. Some applications under the legislation requires proof of the right to work in the UK. This is administered in line with		

		<p>legislation. The policy is published in English. Translations are available upon request as standard council protocol.</p>		
11a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of sex differently in a negative way?</p>	Y	N	The Policy has no adverse impact due to sex.
11b	<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>Data regarding applicants' or individuals' sex is collected as part of determining the applicant or individual's identity and right to work in the UK, but does not form part of the Council's decision making process when determining applications for licences. The policy is likely to have a positive impact on women due to specialist considerations to drink spiking and Violence Against Women and Girls (VAWG) at licensed venues.</p>		
12a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>you may wish to consider:</i></p> <ul style="list-style-type: none"> • <i>Physical access</i> • <i>Format of information</i> • <i>Time of interview or consultation event</i> • <i>Personal assistance</i> • <i>Interpreter</i> • <i>Induction loop system</i> • <i>Independent living equipment</i> • <i>Content of interview</i> 	Y	N	The Policy is currently available to view on the Council's website. Officers can make other versions available, if requested, such as larger text. Customers can also book an appointment for an officer to read the Policy to them face-to-face or by telephone.
12b	<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>The Council's Policy requires that all applicants must ensure that they take into account adequate provision for the safety of persons under the Equality Act 2010.</p>		
13a	<p>Could the policy or project have the potential to affect</p>			The Policy has no adverse impact due to

	individuals or communities on the basis of sexual orientation differently in a negative way?	Y	N	sexual orientation.
13b	What existing evidence (either presumed or otherwise) do you have for this?	Data regarding applicants' or individuals' sexual orientation is not collected as part of the application process, and does not form part of the Council's decision making process when determining applications for licences.		
14a	Could the policy or project have the potential to affect individuals on the basis of age differently in a negative way?	Y	N	Applicants for premises and personal licences must be aged 18 or over. Age is referred to throughout the document with regards to safeguarding children, and age restrictions for the sale of alcohol etc.
14b	What existing evidence (either presumed or otherwise) do you have for this?	Under the Licensing Act 2003, applications may only be accepted from individuals aged 18 or over for premises and personal licences.		
15a	Could the policy or project have the potential to affect individuals or communities on the basis of religious belief differently in a negative way?	Y	N	The Policy has no adverse impact on religious groups.
15b	What existing evidence (either presumed or otherwise) do you have for this?	Data regarding applicants' or individuals' religious belief is not collected as part of the application process, and does not form part of the Council's decision making process when determining applications for licences.		
16a	Could this policy or project have the potential to affect individuals on the basis of gender reassignment differently in a negative way?	Y	N	The Policy has no adverse impact on persons undergoing or who have undergone gender reassignment.
16b	What existing evidence (either presumed or otherwise) do you have for this?	Data regarding applicants' or individuals' gender is collected as part of determining the applicant or individual's identity and right to work in the UK, but does not form part of the		

		Council's decision making process when determining applications for licences.		
17a	Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership differently in a negative way?	Y	N	The Policy has no adverse impact on persons' marital or civil partnership status.
17b	What existing evidence (either presumed or otherwise) do you have for this?	Data regarding applicants' or individuals' marital status is collected as part of determining the applicant or individual's identity and right to work in the UK, but does not form part of the Council's decision making process when determining applications for licences.		
18a	Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity differently in a negative way?	Y	N	The Policy has no adverse impact on persons who are pregnant.
18b	What existing evidence (either presumed or otherwise) do you have for this?	Data regarding whether applicants' or individuals' are pregnant is not collected as part of the application process, and does not form part of the Council's decision making process when determining applications for licences.		
19	Could any negative impacts that you identified in questions 10a to 15b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics?	Y	N	Both disability and age have been identified as protected characteristics that may be negatively impacted by the Policy and associated application forms. There is a lawful basis for the Council to refuse applications made by persons that do not meet the age requirements. The Council seeks to ensure adequate assistance is provided to any person seeking to view this Policy. This falls within the requirement to make reasonable adjustments for people with

				<p>a disability.</p> <p>It is not considered that this Policy has the potential to discriminate on the basis of either of the above protected characteristics.</p>
20	Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your answer opposite against the relevant protected characteristic.	Y	N	<p>Race: N/A</p> <p>Sex: N/A</p> <p>Disability: Assistance will be provided</p> <p>Sexual orientation: N/A</p> <p>Age: Officers will administer applications in line with legislation – applicants must be 18 years old or above.</p> <p>Gender reassignment: N/A</p> <p>Pregnancy and maternity: N/A</p> <p>Marriage and civil partnership: N/A</p> <p>Religious belief: N/A</p>
21	How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above?	<p>The following mitigations are included in our Licensing Policy:</p> <ul style="list-style-type: none"> The policy features the council’s standard statement of alternative formats on the front page of the report to ensure it is accessible to all and direct readers to where they can request additional support: <p>“If you need this information in a different format, please contact XXX on XXX”</p> <ul style="list-style-type: none"> The council will provide alternative formats upon request such as large print, translation, and the opportunity to meet face to face or over the telephone to have the policy read to them. The policy features a glossary which defines the legal “jargon” used throughout, making the policy easier to understand for those with English as an additional 		

		<p>language, people with learning difficulties, or those with lower levels of literacy.</p> <ul style="list-style-type: none"> • The policy clearly explains the rationale and legal justification of age restrictions and the benefits of having these in place. <p>Dedicated section on licence applicant's obligations under Equality Act.</p>			
22	Do any negative impacts that you have identified above impact on your service plan?	<table border="1"> <tr> <td>Y</td> <td>N</td> <td></td> </tr> </table>	Y	N	
Y	N				

Signed by completing officer	Carol Stefanczuk
Signed by Service Lead or Corporate Head of Service	Dawn Adey