

## EQUALITY IMPACT ASSESSMENT - TRAFFORD COUNCIL

A. Summary Details		
1	Title of EIA:	Statement of Licensing Policy 2021-2026
2	Person responsible for the assessment:	Joanne Boyle
3	Contact details:	licensing@trafford.gov.uk
4	Section & Directorate:	Regulatory Services – Directorate, Place
5	Name and roles of other officers involved in the EIA, if applicable:	

B. Policy or Function		
1	Is this EIA for a policy or function?	Policy <input checked="" type="checkbox"/> Function <input type="checkbox"/>
2	Is this EIA for a new or existing policy or function?	New <input type="checkbox"/> Existing <input type="checkbox"/> Change to an existing policy or function <input checked="" type="checkbox"/>
3	What is the main purpose of the policy/function?	Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its Licensing Policy, reviewed 5 yearly. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the Licensing Act 2003. The policy sets out the general approach to make licensing decisions whilst remaining

		<p>consistent with the provisions of the Licensing Act 2003.</p> <p>The licensing objectives are set out in the Act and are:</p> <ul style="list-style-type: none"> <li>• The prevention of crime and disorder</li> <li>• Public safety</li> <li>• The prevention of public nuisance</li> <li>• The protection of children from harm</li> </ul>
4	<p>Is the policy/function associated with any other policies of the Authority?</p>	<p>The Council has seven corporate priorities.</p> <p>The Licensing Policy can be linked to the priorities of: Children and Young People; Health and Wellbeing; and Successful and Thriving Places</p> <p>◆ Children and Young People - Licenses premises must be safe for all users and staff - public safety, the protection of children from harm and the prevention of crime and disorder are key objectives ◆ Health and Wellbeing - Licensed premises and their clientele should not cause undue noise and nuisance to neighbours - prevention of public nuisance is a key objective ◆ Successful and Thriving Places - The licensing regime has led to an increase in licensed premises which will help to boost the local economy which will bring new jobs and more prosperity to the Borough ◆</p> <p>The revised policy is intended to address issues in relation to living well, and is intended to help strike the right balance between the development of the night time economy and its potential adverse</p>

		impact on local residents.
5	Do any written procedures exist to enable delivery of this policy/function?	Yes, these are contained in a separate procedure manual.
6	Are there elements of common practice not clearly defined within the written procedures? If yes, please state.	No
7	Who are the main stakeholders of the policy? How are they expected to benefit?	<p>Licence holders ● Potential licence holders ● Residents or their representatives ● Local businesses or their representatives ● Government bodies and other external agencies, such as Police, Fire &amp; Rescue Service ● Council departments, such as Planning Control and the Safeguarding Children Board, Pollution Control Team and Food Safety Team. ● Councillors as the decision makers and representatives of residents.</p> <p>The benefits of the Policy are that it provides: a fair and consistent approach to licensing enforcement administration for any service user; easy to understand information regarding licence application and decision making processes to anybody who wants it; and enables any service user to understand and comply with current legislation.</p>
8	How will the policy/function (or change/improvement), be implemented?	<p>The Licensing Policy will be agreed formally by the Full Council in October 2020 and will become effective on the 7<sup>th</sup> January 2021.</p> <p>The Policy then has to be reviewed and renewed at least every 5 years.</p>

		<p>Once implemented guidance and information will be available for businesses.</p> <p>Guidance and advice will also be available to individuals who wish to make representations (objections) to an application.</p> <p>Unlicensed activity and compliance will be monitored by enforcement.</p>
9	What factors could contribute or detract from achieving these outcomes for service users?	No barriers identified
10	Is the responsibility for the proposed policy or function shared with another department or authority or organisation? If so, please state?	No

### **C. Data Collection on People Impacted by Policy or Function**

1	Do you have monitoring data on the number of people (from different equality groups) who are using or are potentially impacted upon by your policy/ function?	<p>There is very little data regarding existing licensees available to inform this process.</p> <p>All local authorities have to use prescribed processes and forms produced by Central Government. The forms used do not include equalities issues.</p>
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		<p>The Government have not permitted application forms to contain anything except that which is specified in the regulations. This has had implications not just for previous equalities impact assessments for licensing consultation but also monitoring all Council interventions under the act.</p> <p>The Council will not be in a position where it can proactively affect the profile of licence holders. The policy we adopt though will ensure that the process of obtaining a licence will be fair and free of discrimination.</p>
2	Please specify monitoring information you have available and attach relevant information*.	The information required from applicants is set down in Regulations and does not include any form of profile monitoring. In essence the same is true of any residents who object to any application.
3	If monitoring has NOT been undertaken, will it be done in the future or do you have access to relevant monitoring data?	<p>There is no information currently available that adequately profiles users or beneficiaries.</p> <p>An action point from this assessment will be to consider what meaningful profiling can be done of service users that will inform future initiatives and policy to ensure there is no unequal impact on the relevant target groups.</p>

*\*Your monitoring information should be compared to the current available census data to see whether a proportionate number of people are taking up your service*

## D. Consultation & Involvement

1	<p>Are you using information from any previous consultations and/or local/national consultations, research or practical guidance that will assist you in completing this EIA?</p>	<p>The policy is in the main developed with due regard to the statutory guidelines laid down by the Central Government; due regard to responses made to the consultation process carried out to a wide range of stakeholders ; and in part sets out how applicants should conduct themselves with regard to a wide range of issues which include equalities.</p> <p>In all over 1000 consultations were sent out to</p> <p>◆ Local Residents and Tenants associations ◆ Local Businesses ◆ Religious bodies and organisations ◆ Relevant and associated business organisations ◆ Police, ◆ Fire Authority, Local holders of on &amp; off licences, ◆ Licence holders ◆ LAP's &amp; CPAG's ◆ Local MP's ◆ Local Councillors</p> <p>Feedback from the consultation was generally good.</p> <p>There is much in the existing policy that is not contentious and has not been raised or objected to by any party involved in the licensing process. The consultation questions focused specifically on the Council's Saturation Policy for Altrincham and Sale. However opportunity was given for further comment from consultees on all aspects of the Licensing Policy.</p>
2	<p>Please list any consultations planned, methods used and groups you plan to</p>	<p>No further consultation is planned before the Policy becomes effective.</p>

	target. (If applicable)	
3	**What barriers, if any, exist to effective consultation with these groups and how will you overcome them?	No barriers identified

*\*\*It is important to consider all available information that could help determine whether the policy/ function could have any potential adverse impact. Please attach examples of available research and consultation reports*

**E: The Impact – Identify the potential impact of the policy/function on different equality target groups**

*The potential impact could be negative, positive or neutral. If you have assessed negative potential impact for any of the target groups you will also need to assess whether that negative potential impact is high, medium or low*

	Positive	Negative (please specify if High, Medium or Low)	Neutral	Reason
<b>Sex</b>				No adverse impact identified
Pregnant women & women on maternity leave				The Licensing regime plays an important part in the regulation of alcohol sales in Trafford– and the schemes and conditions proposed in the Policy re supportive of the aim of reducing alcohol consumption during

				pregnancy.
Gender Reassignment				No adverse impact identified
Marriage & Civil Partnership				No adverse impact identified
<b>Race-</b> include race, nationality & ethnicity (NB: the experiences may be different for different groups)				No adverse impact identified
<b>Disability</b> – physical, sensory & mental impairments	✓			A responsible and transparent licensing policy, both for the premises and the personal licensee, make a contribution to ensuring that venues and staff of those venues are aware of vulnerable groups.
<b>Age Group</b> - specify e.g. older, younger etc.	✓			The statutory guidelines highlight the protection of children as a key objective of the policy. As a result the policy addresses issues relating to children in the following way  ♦ Applicants will have to consult with the Area Child protection Committee



			<p>The Council may impose conditions limiting access to children ♦ where there have been convictions for serving alcohol to minors or with a reputation for underage drinking ♦ with a known association with drug taking or dealing ♦ where there is a strong element of gambling on the premises ♦ where entertainment of an adult or sexual nature is commonly provided</p> <p>The Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:</p> <ul style="list-style-type: none"> <li>♦ Limitations on the hours when children may be present ♦</li> <li>Limitations on ages below 18 ♦</li> <li>Limitations or exclusion when certain activities are taking place</li> <li>♦ Requirements for an</li> </ul>
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				accompanying adult ♦ Full exclusion of people under 18 from the premises when any licensable activities are taking place
<b>Sexual Orientation</b> – Heterosexual, Lesbian, Gay Men, Bisexual people				No adverse impact identified
<b>Religious/Faith groups</b> (specify)				No adverse impact identified

**As a result of completing the above what is the potential negative impact of your policy?**

High                       Medium                       Low                       Neutral

**F. Could you minimise or remove any negative potential impact? If yes, explain how.**

Race:	N/A
Sex & Gender, including pregnancy & maternity, gender reassignment, marriage & civil partnership	N/A
Disability:	N/A
Age:	N/A
Sexual Orientation:	N/A
Religious/Faith groups:	N/A

Also consider the following:		
1	If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity for a particular equality group or for another legitimate reason?	N/A
2	Could the policy have an adverse impact on relations between different groups?	No
3	If there is no evidence that the policy <i>promotes</i> equal opportunity, could it be adapted so that it does? If yes, how?	<p>The aims of the policy are:</p> <ol style="list-style-type: none"> <li>1. Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;</li> <li>2. Giving the police, licensing officers and responsible authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;</li> <li>3. Recognising the important role which licensed premises play in our local communities and economy by minimizing the regulatory burden on business, encouraging innovation and supporting responsible premises;</li> <li>4. Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and</li> <li>5. Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon</li> </ol>

them.

The policy itself is therefore intended to have an overall positive impact on the area and its residents, supporting the safe operation of licensed premises in the Trafford.

### G. EIA Action Plan

<b>Recommendation</b>	<b>Key activity</b>	<b>When</b>	<b>Officer Responsible</b>	<b>Progress milestones</b>
The policy has a statutory review process. The policy has to be updated at least every 5 years.	Keep the policy under review	On-going	Joanne Boyle	

Please ensure that all actions identified are included in the attached action plan and in your service plan.

Signed *Joanne Boyle*

Lead Officer: Joanne Boyle

Date : 06/10/2020

Signed *Adrian Fisher*

Service Head: Adrian Fisher

Date 07/10/2020