

## Community and Equality Impact Assessment

As an authority, we have made a commitment to apply a systematic equalities and diversity screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have significant positive, negative or adverse impacts on the different groups in our community.

This process has been developed, together with **full guidance** to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

**About the service or policy development**

Name of service or policy	London Borough of Barking and Dagenham Statement of Licensing Policy for 2022-2027
Lead Officer	Theo Lamptey
Contact Details	Theo.lamptey@lbbd.gov.uk

Why is this service or policy development/review needed?

The Council, as the local licensing authority for the area, is required under the Licensing Act 2003, to prepare and publish a statement of licensing policy and to review that policy at least every five years. The policy is required to set out how the Authority intends to approach its alcohol, entertainment and late-night refreshment licensing responsibilities under the Act and promote the four statutory licensing objectives being

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

This Council first published its licensing policy in 2005. It has been regularly reviewed and updated since.

The policy is next due for renewal in 2022. A draft revision has been prepared through the summer of 2021 with consultation with key partner services and agencies and public consultation in October / November 2021.

Both the policy and licensing process and practice is established, consistent with national practice and working well. This revision of the policy is primarily intended to

- Update references, links, contacts and statistics used in the policy
- Ensure consistency with governing legislation and guidance
- Reflect current best practice

**1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered).**

What impacts will this service or policy development have on communities?  
Look at what you know. What does your research tell you?

Please state which data sources you have used for your research in your answer below

*Consider:*

- National & local data sets
- Complaints

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- Consultation and service monitoring information
- Voluntary and Community Organisations
- The Equality Act places a specific duty on people with 'protected characteristics'. The table below details these groups and helps you to consider the impact on these groups.
- It is Council policy to consider the impact services and policy developments could have on residents who are socio-economically disadvantaged. There is space to consider the impact below.

The policy intends to ensure consistent licensing decisions while supporting licensing decisions that may be challenged in a court of law.

In doing so, and through the promotion of the licensing objectives, the policy also intends to

- Encourage a broad range of safe, secure and well-managed leisure and entertainment facilities that may be enjoyed by users and benefit the local community
- Ensure responsible premises management using best practice management controls
- Encourage participation in the licensing process by the local community
- Ensure adequate protections for local residents against irresponsible operators

Consideration of process outcomes, feedback from service users, complaints and consultation do not indicate any adverse impacts.

Potential impacts	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
<b>Local communities in general</b>	X			<p>Positive: Increased leisure offer. Well-run premises. Participation in the process.</p> <p>Negative: Where individual premises fail to comply with requirements</p>	<p>The duty placed on the Authority to promote the four licensing objectives while considering each application on its own merits ensures that all licensed operation receives individual consideration and best opportunity to succeed while contributing to the local economy and community.</p> <p>Individual irresponsible operators that impact on the community may be dealt with through appropriate enforcement action.</p>
<b>Age</b>	X			<p>Positive: The fourth licensing objective deals with the protection of children from harm</p>	<p>This includes physical, psychological and moral harm. The policy references matters such as age verification around alcohol sales, protections around adult entertainments and child sexual exploitation.</p> <p>The applications process takes into account location and other types of</p>

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					premises in the catchment area of a proposed licensed premises.
<b>Disability</b>		X		Neutral	The Authority is not able to use the policy as a vehicle for ensuring access to licensed premises but there is other legislation that achieves this and officers will promote this where opportunity allows.
<b>Gender reassignment</b>		X		N/A	There is no evidence to suggest that the policy would have a potential impact on this characteristic
<b>Marriage and civil partnership</b>		X		N/A	There is no evidence to suggest that the policy would have a potential impact on this characteristic
<b>Pregnancy and maternity</b>		X		N/A	There is no evidence to suggest that the policy would have a potential impact on this characteristic
<b>Race (including Gypsies, Roma and Travellers)</b>	X			Positive: The policy provides for individual consideration of applications on their own merits with all relevant matters taken into account	The approach taken enables individual characteristics of premises operation and of a premises locality to be understood and contribute toward considered outcomes
<b>Religion or belief</b>	X			Positive: The policy provides for individual consideration of applications on their own merits with all relevant matters taken into account	The approach taken enables individual characteristics of premises operation and of a premises locality to be understood and contribute toward considered outcomes
<b>Sex</b>	X			Positive: The licensing objectives include public safety	The policy generally aims to promote safe premises. It provides for responsible premises management with consideration given to appropriate safety management controls with focus on specific issues such as safe journeys home and initiatives such as 'Ask for Angela' which aims to promote the provision of safe spaces.

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					<p>The policy approach taken also enables individual characteristics of premises operation and of a premises locality to be understood and contribute toward considered outcomes</p>
<b>Sexual orientation</b>	X			<p>Positive: The licensing objectives include public safety</p>	<p>The policy generally aims to promote safe premises. It provides for responsible premises management with consideration given to appropriate safety management controls with focus on specific issues such as safe journeys home and initiatives such as 'Ask for Angela' which aims to promote the provision of safe spaces.</p> <p>The policy approach taken also enables individual characteristics of premises operation and of a premises locality to be understood and contribute toward considered outcomes</p>
<b>Socio-economic Disadvantage</b>	X			<p>Positive: The policy enables community participation in the licensing process</p>	<p>Individual consideration of licensing applications on their own merits and community involvement in the process helps to ensure positive outcomes in the applications process</p>
<b>Any community issues identified for this location?</b>	X			<p>Positive: The policy enables community participation in the licensing process</p>	<p>Individual consideration of licensing applications and community involvement in the process helps to ensure positive outcomes in the applications process</p>

## 2. Consultation.

Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g., on-line consultation, focus groups, consultation with representative groups.

If you have already undertaken some consultation, please include:

- Any potential problems or issues raised by the consultation.
- What actions will be taken to mitigate these concerns

The policy has been developed and refined over the past 18 years with contributions throughout the period from all of the involved responsible authorities, including

- The Metropolitan Police
- The London Fire Brigade
- Trading Standards
- Environmental Health
- Public Health
- Child Protection
- Planning

And from premises operators, participants in the licensing process and service users.

This latest update of the policy has been subject of another round of consultation through October / November 2021 involving

- Direct approaches / letter drops to
- Responsible authorities
- Representatives of premises licence holders
- Representatives of personal licence holders
- Ward councillors
- Trade representatives
- Public consultation through 'One Borough Voice'
- Online questionnaire

Contributions received were primarily from various of the responsible authorities and as a result the following matters have been included in this latest version of the policy

- Page 13 – New section included on **Entitlement to work in the UK** which sets out the direction in law that applications made by individuals without entitlement to work in the UK must be rejected
- Page 17 – Clarification provided under section on **payment of annual licence fee** that non-payment of due annual licensing fees results in automatic suspension of the licence
- Page 26 – A new section on **illegal working** and the responsibility now placed on operators to ensure that all employers carry out right to work checks on employees.
- Page 29 – A new section on **Covid-19** which emphasises the need for operators to continue to regularly update covid risk-assessments in line with government guidance or changing circumstances
- Page 29 – A new section on **sexual violence and harassment** which introduces the Metropolitan Police 'Ask for Angela' scheme and supporting WAVE training which is recommended to operators to assist in providing safe spaces for premises users

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- Page 30 – A new section on **security and terrorism** which introduces the ACT Awareness e-learning tool providing counter-terrorism awareness training for organisations and individuals.
- Page 30 – A revised section on the third licensing objective of preventing public nuisance which reflects the current approach of the Council's Environmental Health Noise team
- Page 31 – Associated with this is a new section on **outside areas** highlighting the extra considerations that need to be afforded to local residents with the movement toward outside eating and drinking following the coronavirus pandemic

The few responses received from operators and the local community have raised no specific issues and have generally only provided indication that those who have responded have found the policy clear and easy to understand.

### 3. Monitoring and Review

How will you review community and equality impact once the service or policy has been implemented?

*These actions should be developed using the information gathered in **Section 1 and 2** and should be picked up in your departmental/service business plans.*

<b>Action</b>	<b>By when?</b>	<b>By who?</b>
Observation / feedback obtained on premises visit and inspections	Ongoing	Officers of the service
Feedback from service users and complaints process	Ongoing	Licensees / local residents / representative groups
Feedback from other responsible authorities	Ongoing	Partner services and agencies
Feedback from pan London meetings with peers and representative groups	Ongoing	Government and trade organisations / peer authorities
Providing Update to Portfolio Holder's Meeting	Quarterly	Service Manager

### 4. Next steps

It is important the information gathered is used to inform any Council reports that are presented to Cabinet or appropriate committees. This will allow Members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the wider community.

Take some time to summarise your findings below. This can then be added to your report template for sign off by the Strategy Team at the consultation stage of the report cycle.

Implications/ Customer Impact



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The report to Cabinet outlines changes to the Council's statement of licensing policy for the forthcoming period 2022-2027.

The policy is intended to strike a balanced approach to supporting responsible business operators running successful, safe, secure and well managed licensed premises that provide benefit to the local community and providing adequate protections to the local community particularly to those living in and around licensed premises.

This is achieved by encouraging a considered risk-assessed approach to premises management utilising best practice while providing a consistent and accessible licensing process that enables participation. This helps to ensure that business operation is properly planned and thought through while enabling the local community to help ensure that all relevant concerns are recognised and mitigated as part of the process.

The current policy is the result of 18 years' experience of running the process and it has been developed over time. The latest revision, required by law, updates the current policy.

### 5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Divisional Director who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role (e.g. project sponsor, head of service)	Date
Theo Lamptey	Service Manager Public Protection	
Andy Opie	Operational Director of Enforcement and Community Safety	