

**APPENDIX D**
**EQUALITY ANALYSIS (EA)**

|                         |                                                                                        |
|-------------------------|----------------------------------------------------------------------------------------|
| <b>POLICY/PROPOSAL:</b> | Publication of a Statement of Licensing Policy as required under the Licesing Act 2003 |
| <b>DEPARTMENT:</b>      | Regeneration and Environment                                                           |
| <b>TEAM:</b>            | Planning, Transport and Licensing                                                      |
| <b>LEAD OFFICER:</b>    | Yogini Patel, Senior Regulatory Service Manager                                        |
| <b>DATE:</b>            | 29 August 2019                                                                         |

*NB: Please ensure you have read the accompanying EA guidance and instructions in full.*

**SECTION A – INITIAL SCREENING**

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

The Licesing Act 2003 requires a Statement of Licencing Policy to be published every 5 years by each Licensing Authority. The Statement of Licensing Policy is a statement of how Licnesing legislation, regulation and guidance will be considered and applied in Brent. Publishing a new Statement of Licensing Policy for Brent is intended to update the existing Statement of Licensing Policy to ensure that it is relevant in light of changes to legislation, regulations, guidance and specific Brent circumstances and environment.

2. Who may be affected by this policy or proposal?

The new Statement of Licensing Policy will have some level of impact for: public services, particularly those with an enforcement role; residents, particularly those that live near areas with alcohol-related or Night Time Economy impacts; and, the owners, operators, staff and customers of premises licensed to sell alcohol. The Statement of Licensing Policy may also have some impact on individuals who suffer alcohol-related harms, and their families and communities.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

It is unlikely that the new Statement of Licensing Policy will have any impact on the equalities or of the protected charecteristics. The application of the Statement of Licensing Policy is universally applied to all residents, visitors and businesses in Brent regardless of the protected characteristics.

The Statement of Licensing Policy does provide a policy framework for the application of the Licensing Act 2003 which includes a restriction on any sales of alcohol to those under the age of 18 years old.

4. Please indicate with an “X” the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

| Characteristic         | IMPACT   |              |          |
|------------------------|----------|--------------|----------|
|                        | Positive | Neutral/None | Negative |
| Age                    | X        |              |          |
| Sex                    |          | X            |          |
| Race                   |          | X            |          |
| Disability             |          | X            |          |
| Sexual orientation     |          | X            |          |
| Gender reassignment    |          | X            |          |
| Religion or belief     |          | X            |          |
| Pregnancy or maternity |          | X            |          |
| Marriage               |          | X            |          |

5. Please complete **each row** of the checklist with an “X”.

| SCREENING CHECKLIST                                                                                                                                                             |     |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
|                                                                                                                                                                                 | YES | NO |
| Have you established that the policy or proposal <i>is</i> relevant to the council’s public sector equality duty?                                                               | X   |    |
| Does the policy or proposal relate to an area with known inequalities?                                                                                                          |     | X  |
| Would the policy or proposal change or remove services used by vulnerable groups of people?                                                                                     |     | X  |
| Has the potential for negative or positive equality impacts been identified with this policy or proposal?                                                                       | X   |    |
| <b>If you have answered YES to ANY of the above, then proceed to section B.<br/>           If you have answered NO to ALL of the above, then proceed straight to section D.</b> |     |    |

**SECTION B – IMPACTS ANALYSIS**

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

The evidence of impact only relates to age, the legislation underlying the SLP has a restriction on the sale of alcohol to only those 18 years old and over. There is a body of research evidence that indicates that people under the age of 18 are more at risk of harms from alcohol purchase and consumption than those over the age of 18. As such the restriction is justified on these grounds.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

| <b>AGE</b>                           |                                                                                                                                                                              |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Details of impacts identified</b> | Those under the age of 18 are restricted from purchasing alcohol by the underlying legislation. The SLP outlines approaches to ensure that this legislation is being upheld. |
| <b>DISABILITY</b>                    |                                                                                                                                                                              |
| <b>Details of impacts identified</b> | None have been identified.                                                                                                                                                   |
| <b>RACE</b>                          |                                                                                                                                                                              |
| <b>Details of impacts identified</b> | None have been identified.                                                                                                                                                   |
| <b>SEX</b>                           |                                                                                                                                                                              |
| <b>Details of impacts identified</b> | None have been identified.                                                                                                                                                   |

| <b>SEXUAL ORIENTATION</b>               |                            |
|-----------------------------------------|----------------------------|
| <b>Details of impacts identified</b>    | None have been identified. |
| <b>PREGANCY AND MATERNITY</b>           |                            |
| <b>Details of impacts identified</b>    | None have been identified. |
| <b>RELIGION OR BELIEF</b>               |                            |
| <b>Details of impacts identified</b>    | None have been identified. |
| <b>GENDER REASSIGNMENT</b>              |                            |
| <b>Details of impacts identified</b>    | None have been identified. |
| <b>MARRIAGE &amp; CIVIL PARTNERSHIP</b> |                            |
| <b>Details of impacts identified</b>    | None have been identified. |

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

No. The impacts are mandated by the Licensing Act 2003, which is itself compliant with the Equalities Act 2010.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

NA

5. Please detail any areas identified as requiring further data or detailed analysis.

NA.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

No negative impacts have been identified.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

The Licensing Policy will be reviewed prior to the end of its 5 year life span.

### SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The only equality impact is: a) a positive impact improving the likelihood that people under the age of 18 will have less risk of alcohol related harm by the implementation of the SLP; and, b) it is an age differentiation set out in the Licensing Act 2003, the SLP only implements the legislation.

### SECTION D – RESULT

| <i>Please select one of the following options. Mark with an "X".</i> |                                                    |          |
|----------------------------------------------------------------------|----------------------------------------------------|----------|
| <b>A</b>                                                             | <b>CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED</b> | <b>X</b> |
| <b>B</b>                                                             | <b>JUSTIFY AND CONTINUE THE POLICY/PROPOSAL</b>    |          |
| <b>C</b>                                                             | <b>CHANGE / ADJUST THE POLICY/PROPOSAL</b>         |          |
| <b>D</b>                                                             | <b>STOP OR ABANDON THE POLICY/PROPOSAL</b>         |          |

### SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

| <b>Action</b>                                                         | <b>Expected outcome</b>                                                                         | <b>Officer</b> | <b>Completion Date</b> |
|-----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|----------------|------------------------|
| Monitor for any equalities impacts raised during public consultation. | It is expected that there will be no equalities impacts raised due to the nature of the policy. |                |                        |
|                                                                       |                                                                                                 |                |                        |
|                                                                       |                                                                                                 |                |                        |
|                                                                       |                                                                                                 |                |                        |
|                                                                       |                                                                                                 |                |                        |
|                                                                       |                                                                                                 |                |                        |
|                                                                       |                                                                                                 |                |                        |

#### **SECTION F – SIGN OFF**

Please ensure this section is signed and dated.

|                           |                |
|---------------------------|----------------|
| <b>OFFICER:</b>           | Yogini Patel   |
| <b>REVIEWING OFFICER:</b> | Natalie Gordon |
| <b>HEAD OF SERVICE:</b>   | Simon Legg     |