

EQUALITY IMPACT ASSESSMENT CRAWLEY BOROUGH COUNCIL

A. Summary Details		
1	Title of EIA:	Statement of Licensing Policy 2024-2029
2	Person responsible for the assessment:	Kareen Plympton
3	Contact details:	Kareen.plympton@crawley.gov.uk
4	Section & Directorate:	Community Services, Public Protection
5	Name and roles of other officers involved in the EIA, if applicable:	NA

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?	<p>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 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">• The prevention of crime and disorder• Public safety• The prevention of public nuisance• The protection of children from harm
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4	Is the policy/function associated with any other policies of the Authority?	<p>Community Safety Partnership Priorities</p> <p>Youth-related ASB, VAWG, cost-of-living related crime, drug-related harm, protecting vulnerable individuals.</p> <ul style="list-style-type: none"> ◆ Children and Young People - Licensed 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 – Promotion of safer socializing and responsible drinking, Licensed premises and their clientele should not cause undue noise and nuisance to neighbors - prevention of public nuisance is a key objective ◆ 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>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 nighttime economy and its potential adverse impact on local residents, alongside a requirement to comply with the Licensing Act 2003</p>
5	Do any written procedures exist to enable delivery of this policy/function?	Section 182 Guidance issued in conjunction with the Licensing Act 2003
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 & Rescue Service • Council departments, such as Planning Control and the Safeguarding Children Board, Pollution Control Team, Health and safety and Food Safety teams. • Councilors as the decision makers and representatives of residents.</p> <p>The benefits of the Licensing Policy Statement 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 Statement of Licensing Policy if agreed formally by the Full Council on 22/02/24 will become effective on the 1st March 2024</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 organization? 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>
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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>

D. Consultation & Involvement

1	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>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>A range of businesses, organizations and others were consulted, including:</p> <ul style="list-style-type: none">◆ Local Businesses◆ Religious bodies and organization's◆ Relevant and associated business organization's◆ Police,◆ Fire Authority, Local holders of on & off licensees,◆ Certificate Holders◆ Community Safety Partnerships◆ Trade Organization's◆ Local councilors,
2	Please list any consultations planned, methods used and groups you plan to	No further consultation is planned before the Policy becomes effective.

	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
Sex			x	No adverse impact identified
Pregnant women & women on maternity leave				The Licensing regime plays an important part in the regulation of alcohol sales in Crawley– and the schemes and conditions proposed in the Policy re supportive of the aim of reducing.

				alcohol consumption during
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				pregnancy.
Gender Reassignment				No adverse impact identified
Marriage & Civil Partnership				No adverse impact identified
Race- include race, nationality & ethnicity (NB: the experiences may be different for different groups)				No adverse impact identified
Disability – physical, sensory & mental impairments	✓			A responsible and transparent licensing policy, both for the premises and the personal licensee, contribute to ensuring that venues and staff of those venues are aware of vulnerable groups.

<p>Age Group - specify e.g. older, younger etc.</p>	<p>✓</p>		<p>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</p> <ul style="list-style-type: none"> ◆ Applicants will have to consult with the Area Child Protection Committee
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			<p>The Council may impose conditions limiting access to children</p> <ul style="list-style-type: none"> ◆ 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>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>
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				accompanying adult ♦ Full exclusion of people under 18 from the premises when any licensable activities are taking place
Sexual Orientation – Heterosexual, Lesbian, Gay Men, Bisexual people				No adverse impact identified
Religious/Faith groups (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 minimize 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">1. Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises.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.3. Recognizing 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.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; and5. Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon
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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 Crawley

G. EIA Action Plan

Recommendation	Key activity	When	Officer Responsible	Progress milestones
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	Kareen Plympton	