



Equalities Impact Assessment

Southwark Statement of Licensing Policy 2021-2026

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	Consultation on amendments to the Southwark Statement of Licensing Policy, running from 2021 to 2026. As a result of conducting the Equality Analysis the implementation of the SToL Policy does not appear to have any adverse effects on people who share protected characteristics and no further actions are recommended at this stage.
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Department	Environment and Leisure	Division	Licensing
Period analysis undertaken	Started June 2019		
Date of review (if applicable)	After completion of consultation		
Sign-off	x	Position	x
		Date	x

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

The Licensing Act 2003 came into effect on 24 November 2005. The Act repealed existing legislation relating to alcohol, entertainment and late night refreshment and introduced a new licensing regime, administered by the local licensing authority.

Section 5 of the Licensing Act 2003 requires each licensing authority to prepare and publish a statement of its licensing policy every five years. The initial Southwark Statement of Licensing Policy received formal approval on 8 December 2004. It has been frequently revised and updated since, in order to keep up to date with changes in law, guidance and local policy. Each revision has been developed through public consultation with full regard had to the Act; the secondary regulations made under the Act; and the guidance for local licensing authorities produced, initially by the Secretary of State for the Department of Culture Media and Sport (DCMS), and more recently, by the Home Office.

Most recently, a mid-term revision was approved by the Council Assembly on 27 March 2019, establishing this authority’s policy for the period 2019-2021. Full regard has been had in the development of this policy to the Act; secondary regulations; and the current incarnation of the section 182 Guidance, issued by the Home Office in April 2018.

As is noted, revisions to the guidance are issued by the Secretary of State from time to time. When revisions are issued, there may be periods of time where the Southwark policy is inconsistent with the guidance. During such periods this council will have regard, and give appropriate weight, to the revised guidance.

It is important to note that a licensing authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.

Any changes made to the current Licensing Policy must take into account whether or not the ‘protected characteristics’ of a wide range of people may be adversely affected. The Licensing Authority is confident that it would never deliberately make policy decision that would do this. One of the aims of the consultation will be to identify any groups that may be negatively impacted, whether subjectively or objectively.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
<p>Key users of the department or service</p>	<ul style="list-style-type: none"> • Premises licence holders • personal licence holders • members of the public
<p>Key stakeholders were/are involved in this policy/decision/business plan</p>	<p>The consultation will be introduced by email and circular letter and sent to:</p> <ul style="list-style-type: none"> • All Premises Licence holders • All Personal Alcohol Licence holders, • Representatives of businesses and residents, • Amenity groups, • Community associations, • Ethnic group associations, • Faith groups, • Traders' associations, • People and parties who responded to previous consultations on the Policy Statement and the Cumulative Impact Policy Areas, • Neighbouring Licensing Authorities, • Responsible Authorities, • Council employees and Members

Section 4: Pre-implementation equality analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
Any changes to the policy must take into account protected characteristics. There is anecdotal evidence to suggest that younger independent businesses may be run by younger people. The licensing authority looks to encourage the diversity of local businesses, which would include businesses run by younger entrepreneurs.	None
Equality information on which above analysis is based	Health data on which above analysis is based
n/a	n/a
Mitigating actions to be taken	
No mitigation is necessary.	

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
No specific impacts have been identified or raised in relation to this. It is acknowledged that businesses should make 'reasonable adjustments' to accommodate people identifying with having a disability.	None identified.
Equality information on which above analysis is based	Health data on which above analysis is based
None	None
Mitigating actions to be taken	
N/A	

Gender reassignment - The process of transitioning from one gender to another.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
This project will not specifically benefit or disadvantage non-binary residents.	None
Equality information on which above analysis is based.	Health data on which above analysis is based
None	N/A
Mitigating actions to be taken	
N/A	
Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination.)	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
Any changes to the Licensing Policy will have no particular impact on marital status and does not treat same sex couples or those in civil partnerships less or more favorably than anyone else.	None
Equality information on which above analysis is based	Health data on which above analysis is based
N/A	N/A
Mitigating actions to be taken	
N/A	

<p>Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavorably because she is breastfeeding.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>The Licensing Policy must not disadvantage pregnant women or those on maternity leave.</p>	<p>None</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>None</p>	<p>N/A</p>
<p>Mitigating actions to be taken</p>	
<p>N/A</p>	
<p>Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>The cultural markup of the Borough is wide and varied. The Licensing Authority would want to encourage this diversity. Policy would never be intended to prevent any particular ethnic group from enjoying alcohol, late night refreshment or regulated entertainment.</p> <p>It should however be noted that the Borough is continually changing in terms of regenerating community areas. This has had an effect on local amenities.</p> <p>It has been mooted that some of the late-night economy may face sterilization with either the introduction of the Late Night Levy, or by developing areas and moving businesses. There has been anecdotal evidence on the effect of the late-night Latin and Hispanic communities seeing premises catering to them facing closure or disruption.</p>	<p>Policy changes not intended to restrict any premises from opening, or staying open. There may be cross-overs with Planning and Regeneration that may have to address this risk.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>None</p>	<p>N/A</p>
<p>Mitigating actions to be taken</p>	

N/A

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
Policy changes will have no apparent benefit or disadvantage to any particular religion. It should be noted that places of worship are exempt from licensing restrictions, as long as they are not being used for non-religious, commercial purposes.	None
Equality information on which above analysis is based	Health data on which above analysis is based
None	N/A
Mitigating actions to be taken	
N/A	
Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
Policy changes will have no apparent benefit or disadvantage to any particular sex.	None
Equality information on which above analysis is based	Health data on which above analysis is based
None	N/A
Mitigating actions to be taken	
N/A	

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
Concerns are ongoing on the impacts that face LGBTIQ+ premises remaining open to provide safe spaces for that community. Significant numbers of premises have closed across London in recent years, yet this is likely to be as a result of commercial redevelopment, rather than a direct intention to reduce the number of such venues. Southwark seeks to protect all such venues.	None – Licensing Policy changes are not intended to prevent any particular group based on LGBTIQ+ self-identification from enjoying alcohol or entertainment at night.
Equality information on which above analysis is based	Health data on which above analysis is based
None	N/A
Mitigating actions to be taken	
N/A	

<p>Socio-economic disadvantage – although the Equality Act 2010 does not include socio-economic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or family's economic and social position in relation to others, based on income, education, health, living conditions and occupation.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>Changes to the Licensing Policy are not intended to benefit or disadvantage people because of their socio-economic status.</p> <p>It is however acknowledged that there is a continuing trend for increases in business rates and rent costs to all premises adding an additional financial burden to some businesses, which is likely passed on to customers.</p>	<p>None</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>N/A</p>	<p>N/A</p>
<p>Mitigating actions to be taken</p>	
<p>N/A</p>	

<p>Human Rights</p> <p>There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol</p>
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>
<p>None identified.</p>
<p>Information on which above analysis is based</p>
<p>N/A</p>
<p>Mitigating actions to be taken</p>
<p>Adherence to Council policy and UK law.</p>

Section 5: Further actions and objectives

<p>5. Further actions</p>			
<p>Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.</p>			
Number	Description of issue	Action	Timeframe
1	None		

<p>6. Equality & Health objectives</p>				
<p>Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.</p>				
Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2