

EQUALITY IMPACT ASSESSMENT

Cumulative Impact Assessment – Issued under section 5(A) of the Licensing Act 2003



PLYMOUTH
CITY COUNCIL

STAGE I: What is being assessed and by whom?

What is being assessed - including a brief description of aims and objectives?

Review of the Cumulative Impact Assessment (Policy) required by the Licensing Act 2003.

The licensing Act provides controls regarding:

- The supply and sale of alcohol
- Regulated entertainment (live and recorded music, boxing, wrestling)
- Late Night refreshment (sale of hot food between 11pm and 5am)

The supply and sale of alcohol has a significant contribution to:

- Local health inequalities
- Crime and disorder
- Impact on communities and individuals through ASB and noise
- Violent crime, Sexual offences and domestic abuse
- Positive impact on economic growth.

The Licensing Policy will be used to promote the four licensing objectives, which are:

- Prevention of crime and disorder
- Protection of public safety
- Prevention of public nuisance

STAGE 1: What is being assessed and by whom?	
	<ul style="list-style-type: none"> • Protection of children from harm <p>From 6 April 2018, a Cumulative Impact Assessment/ Cumulative Impact Policies must be reviewed every three years. The licensing authority must produce a cumulative impact assessment (CIA) if the authority can evidence that there is cumulative impact within its area. The Licensing Authority must consult on its intention to publish the CIA. The aim of the CIA is to limit the growth of licensed premises where the promotion of the Licensing objectives is being compromised.</p> <p>In Cumulative Impact Areas, there is a presumption that the licensing authority will refuse or impose limitations on applications which are likely to add to the cumulative impact unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives.</p> <p>The publication of a CIA does not change how licensing decisions are made; the Licensing Authority will always consider each application on its own merits. However, a CIA is a strong statement of intent about an authority's approach to licence applications.</p>
Responsible Officer	Rachael Hind
Department and Service	Licensing Team, Public Protection Service, ODPH
Date of Assessment	1.2.22

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
Age	The evening and night time	Some of the proposals	None – the aim of the	Policy will be formally reviewed

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
	<p>economy is mainly used by the 18-25 yr age group.</p> <p>Under 18s Children and young people will be directly or indirectly affected by alcohol.</p> <p>There are elevated alcohol related hospital admissions above national average and alcohol is a significant contributor to domestic abuse.</p> <p>30% of child protection cases have a domestic abuse concern – over half involve alcohol as a contributory factor</p>	<p>may impact on licensing hours, particularly those used by this age group</p> <p>None -</p> <p>The policy is designed to minimise the negative impact of the legal operation of the licensable activities.</p>	<p>proposals are to promote public safety and protect local communities. It is in the overriding public interest that these proposals are introduced.</p> <p>The policy will be reviewed as necessary to ensure adequate protection as far as the law allows.</p> <p>Applications will be refused, conditions added or review of existing licences will be undertaken in order to ensure the Protection of Children from harm.</p>	<p>every 3 years or sooner if required</p>

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
	Plymouths hidden harm assessment predicts that between 3,900 and 6,500 children are affected by significant parental alcohol misuse.			
Disability	Mental health issues and alcohol miss-use and harm and well recognised. Alcohol dependency among psychiatric patients is almost double that of the general population.	None – The policy is designed to minimise the negative impact of the legal operation of the licensable activities.	The policy will be reviewed as necessary to ensure adequate protection as far as the law allows.	Policy will be formally reviewed every 3 years or sooner if required
Faith, Religion or Belief	The business and residential communities are very diverse.	It is not anticipated that the policy will have a direct adverse impact on this protected characteristic. Where there are links between race and faiths please note comments	The policy will be reviewed as necessary to ensure adequate protection as far as the law allows and to identify any adverse impacts. Applications will be	Policy will be formally reviewed every 3 years or sooner if required

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
		<p>regarding BME groups.</p> <p>The prevention of crime and disorder aspects of the policy would include hate crime.</p>	<p>refused, conditions added or review of existing licences will be undertaken in order to ensure the prevention of crime and disorder, including hate crime.</p>	
<p>Gender - including marriage, pregnancy and maternity</p>	<p>There are no differential issues for this protected characteristic.</p> <p>Alcohol related harm has an impact on male and females equally. Alcohol related hospital admissions are above average levels for both males and females</p> <p>Sexual offences on females and lone female safety are related to alcohol availability.</p>	<p>It is not anticipated that the policy will have a direct adverse impact on this protected characteristic.</p> <p>The policy is designed to minimise the negative impact of the legal operation of the licensable activities.</p> <p>The policy has very little ability to control individual behaviour outside of the premises controlled by a licence.</p>	<p>The policy will be reviewed as necessary to ensure adequate protection as far as the law allows and to identify any adverse impacts.</p>	<p>Policy will be formally reviewed every 3 years or sooner if required</p>

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
Gender Reassignment	There are no differential issues for this protected characteristic.	It is not anticipated that the policy will have a direct adverse impact on this protected characteristic. The prevention of crime and disorder aspects of the policy would include hate crime.	The policy will be reviewed as necessary to ensure adequate protection as far as the law allows and to identify any adverse impacts.	Policy will be formally reviewed every 3 years or sooner if required
Race	BME communities have a high degree of ownership of takeaways and late night food outlets.	BME groups will be indirectly impacted by any additional controls placed on late night food outlets.	Policy to be proportionate and consistently applied. Refusals or conditions placed on licences will be appropriate.	Ongoing overview of decision making. Licensing Manager Legal Officers
Sexual Orientation -including Civil Partnership	There are no differential issues for this protected characteristic.	It is not anticipated that the policy will have a direct adverse impact on this protected characteristic. The prevention of crime and disorder aspects of the policy would include hate crime.	The policy will be reviewed as necessary to ensure adequate protection as far as the law allows and to identify any adverse impacts.	Policy will be formally reviewed every 3 years or sooner if required

STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken		
Local Priorities	Implications	Timescale and who is responsible?
Reduce the inequality gap, particularly in health between communities.	<p>The proposals are designed to improve public safety and protect local communities from noise and anti-social behaviour.</p> <p>Some aspects are designed to assist in the reduction of alcohol harm.</p> <p>The proposals will assist in reducing health inequalities.</p>	<p>Positive implications – no action required.</p> <p>Applications will be considered on a case by case basis. Applications will be refused or conditions added where appropriate to promote the licensing objectives.</p>
Good relations between different communities (community cohesion).	<p>Hate crime will be considered as part of the licensing objection to prevent crime and disorder. These issues will be considered and the licensing policy used in order to have appositive impact.</p> <p>Residents have the ability to comment and participate in the licensing process. Resident's identity will be protected where required to ensure the views can be easily obtained and reduce the fear of recrimination.</p>	Applications considered on a case by case basis.
Human Rights	A balance must be obtained between the achievement of the licensing objectives and human rights; these being Article 1, Protocol 1 of the European Convention on Human Rights (peaceful enjoyment of possessions) and Article 10 (Freedom of expression). Belfast City Council v Miss Behavin' Ltd is the leading case and it is clear that any decision to refuse or amend an existing licence must be rational, necessary and proportionate for the promotion of the licensing objectives.	None required – applications will be considered on a case by case basis.

STAGE 4: Publication			
Director, Assistant Director/Head of Service approving EIA.	Ruth Harrell	Date	16.2.22