


# EQUALITY IMPACT ASSESSMENT – CONSIDERATION OF THE STATUTORY 5-YEAR REVIEW AND CONSULTATION OF THE CURRENT STATEMENT OF LICENSING POLICY 2019 TO 2024 TO INFORM THE STATEMENT OF LICENSING POLICY 2024 TO 2029.

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b>	Katharine O'Connor Environmental Health (Food Safety) Service Manager Public Protection Service Office of the Director of Public Health	<b>Department and service:</b>	Intelligence and Licensing Public Protection Service Office of the Director of Public Health	<b>Date of assessment:</b>	15 <sup>th</sup> December 2023
<b>Lead Officer:</b>	Ruth Harrell Director of Public Health	<b>Signature:</b>		<b>Approval date:</b>	18 December 2023
<b>Overview:</b>	<p>Consideration of the statutory 5-year review and consultation of the current Statement of Licensing Policy 2019 to 2024 to inform the draft Statement of Licensing Policy 2019 to 2024. The supply and sale of alcohol has a significant contribution to:</p> <ul style="list-style-type: none"> <li>• Local health inequalities</li> <li>• Crime and disorder</li> <li>• Impact on communities and individuals through anti-social behaviour and noise</li> <li>• Violent crime, sexual offences, and domestic abuse</li> <li>• Positive impact on economic growth</li> </ul> <p>The Licensing Policy will be used to promote the four licensing objectives, which are:</p> <ul style="list-style-type: none"> <li>• Prevention of crime and disorder</li> <li>• Protection of public safety</li> <li>• Prevention of public nuisance</li> <li>• Protection of children from harm</li> </ul>				

	<p>The Policy will provide the framework to ensure there is a balance between business activity and the protection of communities and individuals.</p> <p>The Policy has to recognise that it can only impact the management of licenced premises in areas under the control of the licensee or nominated manager. Many alcohol problems are associated with alcohol consumption and personal behaviour. Licensees can only control matters within their premises or within the vicinity.</p> <p>The Policy cannot place a cap on the number of alcohol licences, but it will restrict the addition of new licences where appropriate through the use of the Cumulative Impact Policy.</p> <p>The licensing system relies on responsible authorities in the consideration of applications and the monitoring of existing licences. Responsible authorities, such as the Police, will use their intelligence sources and their own Equality Impact Assessments (EIA) to use the licensing system to promote the licensing objectives. The licensing objectives will be used where appropriate to eliminate unlawful discrimination and promote positive outcomes for the nine protected characteristics.</p> <p>The Policy will work in partnership to support other plans and strategies to:</p> <ul style="list-style-type: none"> <li>• Improve health inequalities, social inclusion, and community protection</li> <li>• Reduce crime and disorder</li> <li>• Reduce alcohol misuse</li> <li>• Encourage community engagement and participation in decision making</li> <li>• Encourage tourism and sustainable economic growth</li> </ul> <p>Measures such as responsible retailing, reducing the use of glass and cumulative impact are examples of how this will be achieved.</p> <p>The Policy is designed to have a positive impact on the protection of individual and communities. The policy will be reviewed and any new information that comes forward as a result of other EIAs will be incorporated into future policies and EIAs.</p>
<b>Decision required:</b>	To consider the statutory 5-year review and consultation responses for the current Statement of Licensing policy 2019 to inform next Statement of Licensing Policy 2024 to 2029.

**SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL**

<b>Potential external impacts:</b> Does the proposal have the potential to negatively impact service users, communities, or residents with protected characteristics?	<b>Yes</b>		<b>No</b>	√
<b>Potential internal impacts:</b> Does the proposal have the potential to negatively impact Plymouth City Council employees?	<b>Yes</b>		<b>No</b>	√
Is a full Equality Impact Assessment required? (If you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	<b>Yes</b>	√	<b>No</b>	
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	N/A			

**SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT**

<b>Protected characteristics (Equality Act, 2010)</b>	<b>Evidence and information (e.g., data and consultation feedback)</b>	<b>Adverse impact</b>	<b>Mitigation activities</b>	<b>Timescale and responsible department</b>
<b>Age</b>	Plymouth <ul style="list-style-type: none"> <li>• 16.4% of people in Plymouth are children aged under 15</li> <li>• 65.1% are adults aged 15 to 64</li> <li>• 18.5% are adults aged 65 and over</li> <li>• 2.4% of the resident population are 85 and over</li> </ul> Southwest	<u>18-25</u> The evening and nighttime economy is mainly used by the 18-25 year age group. Some of the proposals may impact on licensing hours, particularly those used by the 18-to-25 year age group.	The aim of the Policy is to promote public safety and protect local communities. It is in the overriding public interest that these proposals are introduced. The Policy is designed to minimise the negative impact of the legal	The Policy will be formally reviewed every 5 years or sooner if required by the Licensing Team, ODPH.

	<ul style="list-style-type: none"> <li>• 15.9 % of people are aged under 15</li> <li>• 61.8 % are aged 15 to 64</li> <li>• 22.3 % are aged 65 and over</li> </ul> <p>England</p> <ul style="list-style-type: none"> <li>• 17.4 % of people are aged under 15</li> <li>• 64.2 % of people are aged 15 to 64</li> <li>• 18.4 % of people are aged 65 and over</li> </ul> <p>(2021 Census)</p>	<p><u>Under 18s</u></p> <p>Children and young people can 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>Plymouths hidden harm assessment predicts that between 3,900 and 6,500 children are affected by significant parental alcohol misuse.</p>	<p>operation of the licensable activities.</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>Children’s Safeguarding Board will remain a consultee for all applications.</p>	
<p><b>Care experienced individuals.</b></p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations,</p>	<p>It is estimated that 26 % of the homeless population in the UK have care experience. In Plymouth there are currently 7 % of care leavers open to the service (6 % aged 18-20 and 12 % of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 % of 19–21-year-old care leavers are not in education, employment, or training (NEET) compared to</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>

<p>Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>12 % of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 % of care leavers aged 18-21 Not in Education Training or Employment (54 % of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>	<p>The prevention of crime and disorder aspects would include hate crime.</p>		
<p><b>Disability</b></p>	<p>9.4 % of residents in Plymouth have their activities limited 'a lot' because of a physical or mental health problem.</p> <p>12.2 % of residents in Plymouth have their activities limited 'a little' because of a physical or mental health problem (2021 Census)</p>	<p>Mental health issues and alcohol mis-use and harm are well recognised.</p> <p>Alcohol dependency among psychiatric patients is almost double that of the general population.</p>	<p>The Policy is designed to minimise the negative impact of the legal operation of the licensable activities.</p> <p>The Policy will be reviewed as necessary to ensure adequate protection as far as the law allows.</p>	<p>The Policy will be formally reviewed every 5 years or sooner if required.</p>
<p><b>Gender reassignment</b></p>	<p>0.5 % of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 % of residents identify as a trans man, 0.1 % identify as non-binary and, 0.1 % identify as a trans woman (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p>	<p>It is not anticipated that the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects of the policy would include hate crime.</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>

<b>Marriage and civil partnership</b>	<p>40.1 % of residents have never married and never registered a civil partnership. 10 % are divorced, 6 percent are widowed, with 2.5 % are separated but still married.</p> <p>0.49 % of residents are, or were, married or in a civil partnership of the same sex. 0.06 % of residents are in a civil partnership with the opposite sex (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>
<b>Pregnancy and maternity</b>	<p>The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>
<b>Race</b>	<p>In 2021, 94.9 % of Plymouth's population identified their ethnicity as White, 2.3 % as Asian and 1.1 % as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 % of the population. 1 % of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 % of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>	<p>Currently driver demographic covers many nationalities.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>

<p><b>Religion or belief</b></p>	<p>48.9 % of the Plymouth population stated they had no religion. 42.5 % of the population identified as Christian (2021 Census).</p> <p>Those who identified as Muslim account for 1.3 % of Plymouth's population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 % (2021 Census).</p>	<p>The licensed business and residential communities/demographic cover many nationalities and many religious beliefs and religions.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>The policy will be reviewed at least every 5 years as necessary to ensure adequate protection as far as the law allows and to identify any adverse impacts.</p> <p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>
<p><b>Sex</b></p>	<p>51 % of our population are women and 49 % are men (2021 Census).</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 at least every 5 years as necessary to ensure adequate</p>	<p>Licensing Officers and Police Officers</p>

			<p>protection as far as the law allows and to identify any adverse impacts.</p> <p>Any discriminatory complaints received are fully investigated.</p>	
<b>Sexual orientation</b>	<p>88.95 % of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 % describe their sexuality as bisexual, 1.97 % of people describe their sexual orientation as gay or lesbian. 0.42 % of residents describe their sexual orientation using a different term (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</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>Any discriminatory complaints received are fully investigated.</p>	Licensing Officers and Police Officers

#### SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	<p>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</p>	<p>Any discriminatory complaints received are fully investigated.</p>	Licensing Officers and Police Officers



	must be rational, necessary, and proportionate for the promotion of the licensing objectives.		
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**SECTION FIVE: OUR EQUALITY OBJECTIVES**

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	There are no differential issues for this protected characteristic.  It is not anticipated that the amendments to the Policy will have a direct adverse impact on any of the five listed equality objectives.	Any discriminatory complaints, negative impacts to strategies and policies received are fully investigated.	Licensing Officers and Police Officers.
<b>Pay equality for women, and staff with disabilities in our workforce.</b>			
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>			
<b>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</b>			
<b>Plymouth is a city where people from different backgrounds get along well.</b>			