

Equality Analysis – Statement of Licensing Policy review

Outcome of Summary Statement : Low Impact

Date of EqA: 01/10/13

Lead Officer: Anita Legg

Part A - Purpose: Why are you creating the EqA? Review of Policy

What are the main purposes and aims of the policy, strategy and service area?

South Somerset District Council (the Council) is the licensing authority under the Licensing Act 2003 ('the Act'). It is empowered to administer the following in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment within the District:

- premises licences including provisional statements, full and minor variations, transfers, interim authorities and reviews
- club premises certificates
- temporary event notices
- personal licences

The Licensing Act 2003 requires a Licensing Authority to prepare and publish a statement of its Licensing Policy before the Authority can carry out any licensing or regulatory functions under the terms of the Licensing Act 2003. This Policy must be kept under review and the Licensing Authority may make any revisions to it, as it considers appropriate. In any event the Licensing Authority is required to review their Statement of Licensing Policy every 5 years.

The Licensing Policy sets out the issues that the Licensing Authority will take into account when determining licences throughout the District of South Somerset and encompasses experience gained in the implementation and regulation of the Licensing Act 2003.

In determining the Policy the Licensing Authority has had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and the Equality Act 2010.

In determining applications under The Act the Licensing Authority shall consider:

- The promotion of the four Licensing Objectives
- Representations and evidence presented by all parties, together with any relevant supporting documentation

- The Latest Guidance issued by the Government
- The Licensing Authority's own Statement of Licensing Policy

The Act requires the Licensing Authority to carry out its various licensing functions so as to promote the four licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

These four objectives will be the paramount considerations when determining a course of action in relation to the Licensing Authority's licensing functions. Each objective will be given equal importance.

Businesses have obligations under national equality legislation, which can include the requirement to make reasonable adjustments for people who have a disability. They also have an obligation to ensure that appropriate evacuation arrangements are in place in the event of an emergency, and that patrons who have a disability are made aware of these arrangements.

As the Licensing Authority South Somerset District Council has responsibilities under equality legislation, which includes eliminating discrimination, promoting equality of opportunity and fostering good relations. As such, we work with the business community to fulfil these duties. For example, a recent campaign has been undertaken to raise awareness of and tackle Disability, Race and Homophobic Hate Crime.

The Statement of Licensing policy clearly recognises the need to protect children from harm, and is therefore relevant to the district's young people. The amendments should not significantly alter how safeguarding is delivered under the policy.

Evidence: Consultation will be proportionate to the scope of the changes proposed at this time and will be undertaken with statutory consultees. The Licensing Authority will consult the following:

The Chief Officer of Police

The Fire Authority

The Director of Public Health

Persons/bodies representative of local holders of premises licences

Persons/bodies representative of local holders of club premises certificates

Persons/bodies representative of local holders of personal licences
 Persons/bodies representative of businesses and residents in the District
 The Licensing Authority may consult beyond the statutory requirements, and seek comments from additional bodies, groups or individuals as appropriate.

Please comment/ explain how you will meet the General Equality Duty (GED)?

GED met? Yes	Please comment/explain how you will meet the General Equality Duty (GED)? Consultation on the revised Statement of Licensing policy will be undertaken with statutory consultees, including representatives from the business community. A recent campaign has been undertaken to raise awareness of and tackle Disability, Race and Homophobic Hate Crime.
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Conclusion

Given the changes to the revised statement and the associated impact, we do not anticipate that the changes will affect our ability to meet our duties under the Equality Act.

Sign Off

Lead Officer: Anita Legg

Date: 01/10/13

Equalities Officer Approval: Date: 01/10/13