

Equality Impact Assessment

Licensing Enforcement Policy

- **Background**

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

- **Legislation- Equality Duty**

As a local authority that provides services to the public, Melton Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment, victimisation.
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

- ✓ Age
- ✓ Disability
- ✓ Gender reassignment
- ✓ Marriage and civil partnership
- ✓ Pregnancy and maternity
- ✓ Race
- ✓ Religion and belief
- ✓ Sex (Gender)
- ✓ Sexual orientation

What is prohibited?

- ✓ Direct Discrimination
- ✓ Indirect Discrimination
- ✓ Harassment
- ✓ Victimisation
- ✓ Discrimination by association
- ✓ Discrimination by perception
- ✓ Pregnancy and maternity discrimination
- ✓ Discrimination arising from disability
- ✓ Failing to make reasonable adjustments

Please complete steps 1-9

● **Step 1 – Introductory information**

No.	Item	Details
1.1	Title of the policy	Licensing Enforcement Policy
1.2	Lead officer and others undertaking this assessment	Elaine Bird – Head of Regulatory Services
1.3	Date EIA started	Oct 2023
1.4	Date EIA completed	Oct 2023

● **Step 2 – Overview of policy/function being assessed**

No.	Item	Details
2.1	Outline – What is the purpose of this policy?	Melton Borough Council is responsible for enforcing a wide range of legislation within the Borough and takes a positive, proactive, and balanced approach to ensure compliance and deal with non-compliance with legislation. This promotes an efficient and effective approach to regulatory enforcement which ensures that the Council acts in a consistent, transparent, and fair manner which improves outcomes without imposing unnecessary burden. The policy will be applied consistently across all areas of Licensing and will provide a documented framework which is accessible to all.
2.2	What specific group(s) is the policy designed to affect / impact and what is the intended change or outcome for them?	<p>Key groups impacted by the policy are:</p> <ul style="list-style-type: none"> • Customers- license holders or license applicants • Complainants identifying non-compliance with licensing legislation • Licensing officers who consider licence applications, monitor compliance with licence conditions and investigate complaints of unlicensed activities or non-compliance with conditions • Councillors part of Licensing Committee or Sub Committees • Ward and parish councillors where breaches occur • Legal officers who support the enforcement officers • Other internal and external stakeholders such as Leicestershire Fire and Rescue Service (LFRS), Police for example. <p>The intended outcome of the policy is:</p> <ul style="list-style-type: none"> • The main objectives of this Licensing Enforcement Policy are set out below: • To secure the health, safety and welfare of members of the public who either make use of the licensed activity or who are affected by it in some way. • To deal immediately with serious risks. • To promote and achieve sustained compliance with the law.
2.3	Which groups have been consulted as part of the creation or review of the policy?	Case officers, Legal officers, Portfolio Holder for Growth and Regeneration, Members of the Licensing Committee. Wider public consultation is not deemed appropriate as whilst this is a published policy, it is an internal facing operational document and with it being linked to legislation there is not the ability for members of the public or the businesses to influence the options available. That said, all cases will be considered in a fair and equitable manner to determine the most appropriate action based on the individual circumstances.

- **Step 3 – What we already know and where there are gaps**

No.	Item	Details
3.1	List any existing information/data you have/monitor about different diverse groups in relation to this policy. Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.	Licensing applicants, complainants, officers and members are likely to be age 18 or above. There is no data available for age, disability, gender, marriage, race, religion etc as planning breaches could impact all groups within the identified stakeholders. We do not request this information of a complainant or the person who is being investigated.
3.2	What does this information / data tell you about diverse groups? If you do not hold or have access to any data or information on diverse groups, what do you need to begin collating / monitoring	It is unclear how this would be helpful to monitor as complaints of licensing non-compliance are not proactively sought. Similarly, there are no restrictions as to who can make a licence application and each application will be considered in line with the relevant legislation and determined on its own merits.

- **Step 4 – Do we need to seek the views of others? If so, who?**

No.	Item	Details
4.1	Considering the answers given in Step 2, do you need to consult with specific groups to identify needs / issues? If not explain why.	This policy collates information about the Council's processes and procedures in dealing with non-compliance with various licensing legislation. All internal stakeholders have been consulted with. There is no requirement to consult with external stakeholders.

- **Step 5 – Assessing the impact**

Table 5.1

Protected Characteristic	Positive / Negative Impact and Explanation
Age	No negative impact is identified. Anyone of any age can make a complaint where there is an alleged unlicensed activity being undertaken . Certain licenses have age restrictions embedded in them such as the sale of alcohol which must be complied with.

Protected Characteristic	Positive / Negative Impact and Explanation
Disability <ul style="list-style-type: none"> • Physical • Visual • Hearing • Learning Disabilities • Mental Health 	<p>No negative impact is identified</p> <p>Customers can contact the Council in a variety of ways to report non-compliance with licensing legislation in accordance with the Council's complaints and customer service policies.</p> <p>There are no restrictions on who can make an application for a licensable activity.</p> <p>Officers will provide support to customers to assist them to complete application forms or to make a relevant complaint through either on line forms or through direct contact with the council. By appointment customers can talk with one of the licensing team to support them through the process.</p>
Gender Reassignment (Transgender)	<p>No negative impact is identified</p> <p>Anyone of any gender can make licence application or make a complaint of non-compliance or unlicensed activity taking place</p>
Race	<p>No negative impact is identified</p> <p>Anyone of any race can make licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Religion or Belief (Includes no belief)	<p>No negative impact is identified</p> <p>Anyone of any religion or belief can make licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Sex (Gender)	<p>No negative impact is identified</p> <p>Anyone of any sex / gender can make licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Sexual Orientation	<p>No negative impact is identified</p> <p>Anyone of any sexual orientation can make licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Other protected groups <ul style="list-style-type: none"> • Pregnancy & maternity • Marriage & civil partnership 	<p>No negative impact is identified</p> <p>Anyone can make a licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Other socially excluded groups <ul style="list-style-type: none"> • Carers • Low literacy • Priority neighbourhoods • Health inequalities • Rural isolation • Asylum seeker and refugee communities • Current and ex-armed HM forces personnel (Veterans) 	<p>No negative impact is identified</p> <p>No one is excluded from make licence application or make a complaint of non-compliance or unlicensed activity taking</p>

No.	Item	Details
5.2	Where potential barriers and negative impacts have been identified, and/or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.	NA
5.3	Summarise your findings and give an overview as to whether the policy will meet the Council's responsibilities in relation to equality and diversity	There is no negative impact identified on any protected characteristics. The policy will help reduce any negative impact of licensable activities for all groups of people impacted.

● **Step 6- Monitoring, evaluation, review**

No.	Item	Details
6.1	Are there processes in place to review the findings of this assessment and make appropriate changes? How will you monitor potential barriers and any positive/negative impact?	The Policy is proposed to be reviewed every five years or in accordance with changes in legislation, guidance or other circumstances which may impact on the principles set out in the policy. Appendix E identifies key performance indicators which will be reported to the Licensing Committee on an annual basis.
6.2	How will the recommendations of this assessment be built into wider planning and review processes?	This policy will inform the annual enforcement plan and fulfil the actions and recommendations arising from the audit of licensing function undertaken by the internal audit team during 2022/23. The policy will be reviewed thereafter every 5 years following approval.

● **Step 7- Action Plan**

Table 7.1

Ref. No.	Action	Responsible Officer	Target Date
1	Review the policy	Head of Regulatory Services	Nov 2028

● **Step 8 - Who needs to know about the outcomes of this assessment and how will they be informed?**

Table 8.1

	Who needs to know	How will they be informed <i>(We have a legal duty to publish EIAs)</i>
Employees	Licensing officers, Environmental Health officers, legal officers,	Circulation of the document along with policy and its appendices
Service Users	License applicants, members, complainants	Publication online
Partners & Stakeholders	Police	Publication online
Others	SLT, Cabinet	Cabinet report- 13 th December 2023

No.	Item	Details
8.2	To ensure ease of access, what other communication needs / concerns are there?	None

- **Step 9 – Please forward your completed assessment to checkandchallenge@melton.gov.uk for scrutiny and approval**
- **Step 10 - Conclusion (to be completed and signed by the Service Head) following internal scrutiny by the Check & Challenge group**

I agree / ~~disagree~~ with this assessment

Signed: 

Date: 17/11/2023

Name: Laura Swift