

Customer Access Review – Full Assessment

Assessment details		
Assessment area	Dartford Borough Council Statutory Statement of Licensing Policy	
Date of assessment	22 June 2016	
Directorate and Service	Strategic – Enforcement & Regulatory Services	
Manager	Mark Salisbury – Enforcement and Regulatory Services Manager	
Officer conducting assessment	Joanne Philpott – Licensing Manager	
Step 1: Scoping the assessment		
1	What are the aims and objectives of the activity or proposal?	<p>The Licensing Policy sets out Local Authorities guidance for applicants who require licences; entirely based on statutory legislation in the Licensing Act 2003.</p> <p>The objective of the licensing process is for a unified system of regulation to allow Licensable Activities and Qualifying Clubs activities to be conducted in a manner which promotes the following four objectives, each of which is considered to be of equal importance (the Licensing Objectives):</p> <ul style="list-style-type: none"> • the prevention of crime and disorder • public safety • the prevention of public nuisance • the protection of children from harm
2	Who will be affected?	<ul style="list-style-type: none"> • Licensing Trade including Members Clubs, Public Houses, Community Centres and other premises selling or supplying alcohol, regulated entertainment and late night refreshment; businesses or residents in vicinity of premises • Customers • Members of Licensing Committee
3	How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?	<p>b) Contributes to the aim of 'Safer & Stronger Communities'.</p> <p>Contributes to the Corporate Plan 2014-17 STRATEGIC AIM: TO CREATE A SAFER BOROUGH IN WHICH TO LIVE, WORK AND SOCIALISE</p> <p>STRATEGIC OBJECTIVES:</p>

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		<p>SC1: To use the Council's statutory functions to increase public safety in the Borough</p> <p>SC2: To reduce anti-social behaviour</p> <p>SC3: To increase public perception of the Borough as a safe place</p>
4	Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?	The Licensing Policy is a Statutory requirement; the content is dictated by the Home Office Guidance issued under S.102 Licensing Act 2003. We exercise discretion in offering assistance during the pre-application period; ref. section 1.43 of policy. Enforcement as detailed in section 1.51 of the policy is carried out as a discretionary function.
<p>Step 2: Information collection</p> <p>Note: Equality and Diversity information for Dartford can be found at http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent/equality-and-diversity-data</p>		
5	What do you know about the groups of people who will be affected? i.e. demographic information in relation to the protected characteristic groups (age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment)	<p>We do not record equality information except for date of birth details for personal licence applicants. No personal information is required from Premises Licence applicants. Interested Parties are only required to provide name and address.</p> <p>All application forms under the Licensing Act 2003 are statutory forms and the Council does not have the power to amend these forms to include the collection of demographic data.</p> <p>No personal information is collected on those who make complaints against this policy or applications.</p>
6	What consultation has taken place with affected groups? Please describe who was consulted and the key findings	<p>Policy - An 8 week inclusive consultation in keeping with government guidelines; this included all responsible authorities, businesses, residents, residents groups and various organisations. No representations were received during the consultation period.</p> <p>Applications – A 28 day consultation of all new and varied application is undertaken by sending a copy of the application to all the responsible authorities, placing a blue notice at the premises and advertising the application in a local newspaper. Representations can be made by a Responsible Authority or Any Other Persons in opposition to, or in support of, an application. Relevant Representations must relate to the Licensing Objectives. The making of Relevant Representations engages the Licensing Authority's to take 'steps' consistent with the Licensing Objectives when considering the application by holding a hearing in which all views can be heard.</p>

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7	Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?	None															
Step 3: Assessing the equality impact																	
8	Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the General Equality Duty: a) tackling unlawful discrimination b) promoting equality of opportunity c) promoting good relations <u>NOTES:</u> <ul style="list-style-type: none"> The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration For existing activities, consider how they are working in practice for each relevant protected group For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9 If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9 																
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 30%; text-align: center;">POSITIVE IMPACTS</th> <th style="width: 30%; text-align: center;">NEGATIVE IMPACTS</th> <th style="width: 10%; text-align: center;">NO IMPACT</th> <th style="width: 10%; text-align: center;">UNKNOWN</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">a Age</td> <td style="padding: 5px;">Applicants for a Licence must be 18 years of age. Licensee stipulates age of customers and when necessary will implement measures to protect children from harm</td> <td style="padding: 5px;"></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">b Disability</td> <td style="padding: 5px;">Applicants encouraged to consider disability as part of their customer profile with regard to ensuring public safety. Assistance given to applicants who have any difficulty with completing a licence application (ref. section 1.43 and 1.44 of policy). The policy is available in alternative formats including large print, Braille</td> <td style="padding: 5px;"></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </tbody> </table>				POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN	a Age	Applicants for a Licence must be 18 years of age. Licensee stipulates age of customers and when necessary will implement measures to protect children from harm		<input type="checkbox"/>	<input type="checkbox"/>	b Disability	Applicants encouraged to consider disability as part of their customer profile with regard to ensuring public safety. Assistance given to applicants who have any difficulty with completing a licence application (ref. section 1.43 and 1.44 of policy). The policy is available in alternative formats including large print, Braille		<input type="checkbox"/>	<input type="checkbox"/>
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		and audio tape. The Civic Centre is wheelchair accessible and offers disabled parking bays for members of the public who visit the Council for advice and guidance on their applications.		
c	Gender (including reassignment)		<input checked="" type="checkbox"/>	<input type="checkbox"/>
d	Race	Applicants can use an advocate to speak on their behalf The policy is available in alternative formats including translated documents. Customers can request language interpreters if required.	<input type="checkbox"/>	<input type="checkbox"/>
e	Religion/Belief	Church halls and community premises are not required to pay a fee for a premises licence which does not permit the sale of alcohol.	<input type="checkbox"/>	<input type="checkbox"/>
f	Sexual Orientation		<input checked="" type="checkbox"/>	<input type="checkbox"/>
g	Pregnancy/Maternity		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	If 'no impact' or 'unknown' was selected, please explain	A person's sexual orientation and gender is not known by the service and is not a barrier to applying for a licence.		
10	If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups	Decisions for granting licence applications ultimately rest with the Licensing Committee and fairness is ensured by hearing regulations and legal attendance at hearings.		
11	Any other comments	Positively the Council follows the legislation set by government and does not deviate from this. We are willing to offer pre-application guidance to any person and provide additional assistance when necessary. There is no adverse impact. Where the Licensing Authority has given notice in writing to the holder of the Premises Licence,		

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		<p>prohibiting the exhibition of a film on the grounds that it contains matter, which, if exhibited, would be likely to:</p> <ul style="list-style-type: none"> • Encourage or incite crime or lead to disorder; or • Stir up hatred or incite violence towards any section of the public on grounds of colour, race or ethnic or racial origin, disability, religious beliefs, sexual orientation or gender; <p>the Licensing Authority will expect that the film will not be exhibited in the licensed Premises, except with its written consent and in accordance with any Conditions attached to such consent.</p>
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Step 4: Action plan

11. Based on the information in Steps 1 to 3, please list the actions that will be taken to address:

- a) any gaps in information and consultation
- b) how any negative impacts on equality will be mitigated or eradicated

a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?

Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer

b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?

Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer

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Step 5: Decision making and future monitoring	
13	Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?
	Mark Salisbury (Head of Service) and Sheri Green (Strategic Director)
14	How will you continue to monitor the impact of the activity or proposal on the equality groups?
	Each application undergoes a consultation period during which any party can object if it is felt that the activities will undermine the Licensing Objectives.
15	When will you review this Customer Access Review?
	December 2018 – In line with Statutory Legislation relating to the Licensing Policy.
Step 6: Final steps	
16	Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer
17	If the subject of the Customer Access Review is going to committee, summarise your findings in the committee report
18	Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded