Stage 6 – Validation Decision Notice

<table>
<thead>
<tr>
<th>Title of policy/proposal etc. and EIA number</th>
<th>41 - Shared Licensing Service Enforcement Policy Update 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of assessment</td>
<td>30/09/15</td>
</tr>
<tr>
<td>Job titles of assessors</td>
<td>Licensing Manager, Policy Officer</td>
</tr>
</tbody>
</table>

Consider:

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Was discrimination or disadvantage identified?</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>If so, was this overcome/can this be overcome?</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Is the service promoting equality?</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Could the service be improved in promoting equality?</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Were the Initial Assessment / Screening and Scoping exercises satisfactory?</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Is there good evidence/reasoning to support the decisions made?</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Are the customers' needs understood and met?</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>If actions have been identified, do they address the main issues raised?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the summary report properly reflect the key findings of the assessment?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If you have any comments, please note them here:

All cases reviewed on merits, practical support mechanisms identified.

The decision is to: Validate ✓ Not validate □

If not validated, please explain:

Signed  

Designation

Date 28/10/15

Name  

Date 28/10/15
Equality Impact Assessment

Stage 1

STAGE 1 – Initial Assessment

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The Assessment

This Equality Impact Assessment (EIA) considers the impact of the update to the Shared Licensing Service Enforcement Policy and Procedure on the protected characteristics and other groups, in line with the Public Sector Equality Duty (PSED) and the Equality Act 2010. Where any adverse impact is identified, mitigating actions will be considered.

The update to the licensing enforcement policy aims to reflect all of the licensing functions and the policy is much broader and detailed than the previous version from 2006. It covers a range of enforcement options and explains how these will be communicated to those who are not complying with their licence, or for those who carry out licensable activities without a licence.

The enforcement actions in the policy are based on general standards outlined in current legislation and include:

- Verbal or written warning
- Suspension, revocation of or refusal to renew a licence
- Imposition of licence conditions
- Formal caution
- Prosecution
- Review of a licence (Licensing Act or Gambling Act licences)
- Injunction
- Closure Notice
- Combination of the above

Assessment Findings

The updated policy provides a standard approach to dealing with issues of non-compliance with licensing legislation and includes additional details on enforcement action for each area of licensing.

The impact of the enforcement actions included in the policy is generally not positive for any group; however, they are within current legislation and, at this stage no differential impact has been identified for any particular group.

When considering the impact of the action on the protected characteristics groups, there may be some individuals, for example people with English as a second language or with a particular disability, who could find it more difficult to understand the policy and any communications made regarding enforcement than others.
Equality Impact Assessment

To mitigate any issues arising from this the policy notes that, a wide range of communication of methods will be used advice and information will be provided in Plain English if required. Alternative formats (such as large print) can also be provided on request. The licensing team will also consider cases on their individual merits and actively work with licence holders to advise and assist with compliance.

Justification

This initial assessment has identified that, although the updated policy and approach to enforcement is based on current legislation, the enforcement actions in the policy may have an adverse impact on those who are impacted by them. There are also some groups that may need accessible information and additional support to facilitate their understanding of the process.

On this basis, this assessment will move onto Stage 2 to consider whether there is any differentially adverse impacts of the policy on the protected characteristics groups.
Equality Impact Assessment

Stage 5 – Summary Report

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Assessment Summary

This Equality Impact Assessment (EIA) considers the impact of the update to the Shared Licensing Service Enforcement Policy and Procedure on the protected characteristics and other groups, in line with the Public Sector Equality Duty (PSED) and the Equality Act 2010. Where any adverse impact is identified, mitigating actions will be considered.

The update to the licensing enforcement policy aims to reflect all of the licensing functions and the policy is much broader and detailed than the previous version from 2006. It covers a range of enforcement options and explains how these will be communicated to those who are not complying with their licence, or for those who carry out licensable activities without a licence. The enforcement actions in the policy are based on general standards outlined in current legislation.

Assessment Findings

The updated policy provides a standard approach to dealing with issues of non-compliance with licensing legislation and includes additional details on enforcement action for each area of licensing.

The impact of the enforcement actions included in the policy is generally not positive for any group; however, they are within current legislation and no differential impact has been identified for any particular group.

When considering the needs of the protected characteristics groups, there may be some individuals, for example people with English as a second language or with a particular disability, who could find it more difficult to understand the policy, and communications made regarding enforcement, than others.

Conclusion and recommendations for action

This assessment has identified that, although the updated policy and enforcement actions are based on current legislation, there are some groups that may need accessible information and additional support to facilitate their understanding of the process.

To mitigate any issues arising from this, it is positive to note that the policy states that:
Equality Impact Assessment

- Advice and information will be provided in Plain English if required.
- A wide range of communication of methods will be used, and the website will be kept updated, to ensure that people have appropriate access to relevant information.
- The licensing team will also consider cases on their individual merits and actively work with licence holders to advise and assist with compliance through: pre-application advice, risk based compliance visits and the production of newsletters and other written updates where possible.

It is also recommended that Licensing Officers:

- Should ensure that alternative formats (such as large print) can be provided on request.
- Take into account the individual needs of the person who is subject to enforcement action and adapt their approach accordingly, insofar as it is legal to do so.