


Appendix Eight – Equalities Impact Assessment

EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

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| Name of ‘proposal’ and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal) | Late Night Levy (LNL) |
| Directorate / Service | CLC/ Consumer and Business Regulation |
| Lead Officer | David Tolley, Head of Consumer and Business Regulation |
| Signed Off By (inc date) | Andy Bamber, Service Head, Safer Communities |
| Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities) | <div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;">  </div> <div> <p>Proceed with implementation</p> <p>As a result of performing the QA checklist, the proposal does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p> <p>This proposal is to ask the decision-making body to consider whether a Late Night Levy (LNL) should be proposed in the Borough. Once it is decided that the adoption of a LNL is to be considered, further data will be collected and a consultation process will be held.</p> </div> </div> |

| | | Yes / | Comment (If the answer is no/unsure, please ask |
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| Stage | Checklist Area / Question | No / Unsure | the question to the SPP Service Manager or nominated equality lead to clarify) |
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| 1 | Overview of Proposal | | |
| a | Are the outcomes of the proposals clear? | Yes | <p>The Council can agree to impose an additional financial levy on licensed premises that retail alcohol within the Borough, to pay for managing the night time economy. This report asks to consider whether a Late Night Levy (LNL) should be applied to those premises in the Borough that sell alcohol between a selected period of midnight and 6.00am. The decision-making body is asked to:</p> <ul style="list-style-type: none"> • Note the adoptive powers under the Police Reform and Social Responsibility Act 2011 • Consider and comment on whether the Council should consult on the adoption of the powers for introducing a late night levy • Consider and comment on the parameters for the levy • Comment on the proposal to commit the funding to Night-time Enforcement Officers. <p>If a consultation is to take place the following matters need to be determined:</p> <ul style="list-style-type: none"> - When the levy shall be applied between midnight and 6.00am - To agree to consult with the Mayor's Office for Policing and Crime (MOPAC) for the introduction of a levy on how the levy will be allocated - To determine any exemptions or reductions that may be applied to businesses - To consider how the extra income for the LNL will be allocated within the Licensing Team. <p>The aim of LNL is to empower local authorities to charge</p> |

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| | | | <p>businesses that supply alcohol late into the night for the extra enforcement costs that the night-time economy generates for police and licensing authorities. The levy fee is set by Government and is determined by the rateable value of the property where the alcohol sales take place. The fee is split between the Metropolitan Police and Local Authority on a 70:30 basis. This levy enables the Local Authority to raise a contribution from late opening alcohol suppliers towards policing the night-time economy. Based on the current number of premises opening between midnight and 6am, and using midnight as the point the levy commences, the additional income would be in the region of £306,500.</p> <p>The local authority must allocate their proportion of the net levy amount on the following activities:</p> <ul style="list-style-type: none"> - Reduction or prevention of crime and disorder - Promotion of public safety - Reduction or prevention of public nuisance - Cleaning of any relevant highway or relevant land in its area. <p>If the local authority chooses to introduce the levy in their area, all licensed premises which are authorised to sell alcohol within the levy period will be able to make a free minor variation to their licence before the levy is introduced, so as to avoid the levy.</p> |
| b | Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is there information about the equality profile of those affected? | Yes | <p><u>Improvement of safety and public realm</u> LNL is to enable the Council to better respond to the safety and street-cleaning requirements generated by the night-time economy. The levy must cover the whole of the licensing authorities' area. If this is introduced, responding to the requirements generated by the night-time economy will be better resourced and the neighbourhoods will be safer and</p> |

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| | | <p>cleaner. This will benefit residents, especially those who live in the vicinity of the areas having strong night-time economy. Data of the 2011 Census and other ONS data provide the equalities profile of the residents.</p> <p>There is no data on protected characteristics of customers who buy alcohol during the midnight and 6am. However, some data (e.g. London ambulance alcohol-related calls and enforcement data on street drinking perpetrators) may inform the impact of this proposal on customers.</p> <p><u>Licensed premises</u> All licensed premises that are permitted alcohol for the times when the levy will apply (between midnight and 6am) will be charged for late night opening. These licensed premises will be allowed to make a free minor variation to their licence and avoid the levy, before the levy is introduced.</p> <p>The majority of the license holders are companies, who may be owned by people in different equality strands from those who operate the business premises in the Borough. The technical implications in developing an equalities strand of the Council's business database has been reviewed by D&R that have corporate lead responsibility for Business related data.</p> <p>Consultation, which is required to be held prior to the introduction of levy, may help identify the profile of the affected businesses.</p> <p><u>Consultation</u> If this proposal is agreed, the Council must consult before the introduction of the levy. The consultation will be published online and in a local newspaper. Details of the proposal need to be sent to MOPAC, the relevant chief officer of the police</p> |
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| | | | and all licensed premises that are permitted alcohol for the times when the levy will apply. |
| 2 | Monitoring / Collecting Evidence / Data and Consultation | | |
| a | Is there reliable qualitative and quantitative data to support claims made about impacts? | Yes | Appendix four shows crime and alcohol related calls. Appendix 5 a-f shows ASB/crime hotspot map for licensed premises of each hour between midnight and 6am. If the proposal is agreed by Cabinet, the Council will consult the stakeholders before the introduction of the levy. |
| | Is there sufficient evidence of local/regional/national research that can inform the analysis? | Yes | Appendix One identifies the number of premises that would be affected by the proposal and estimates the total levy income depending on commencement of levy hour. The impact of the night-time economy on the community has been widely researched. For example, GLA and Camden Council published 'Camden Town Night Time Economy Research' in 2004. Locally, the service has researched and analysed the issue for a number of years. For example, the Cumulative Impact Policy – Brick Lane Area report submitted to Council in July 2013 includes the impact of the night-time economy on the community. |
| b | Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis? | Yes | If the Council agree the proposal, a consultation process will be held. |
| c | Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal? | Yes | Consultation is required to be held prior to the introduction of the levy. |
| 3 | Assessing Impact and Analysis | | |
| a | Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics? | Yes | As above, performance indicator data including London ambulance alcohol-related calls, the enforcement data on street drinking perpetrators and ARS may inform the impact of this proposal. |
| b | Is there a clear understanding of the way in which | Yes | As above, the majority of the license holders are companies, |

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| | proposals applied in the same way can have unequal impact on different groups? | | who may be owned by people in different equality strands from those who operate the business premises in the Borough. Although the technical implications in developing an equalities strand of the Council's business database has been reviewed by D&R, a consultation process may identify unequal impact on different groups of affected businesses. |
| 4 | Mitigation and Improvement Action Plan | | |
| a | Is there an agreed action plan? | Yes | This proposal will be submitted to the various decision-making bodies. |
| b | Have alternative options been explored | Yes | 'Do nothing' option has been considered. |
| 5 | Quality Assurance and Monitoring | | |
| a | Are there arrangements in place to review or audit the implementation of the proposal? | Yes | It will be considered by the various decision-making bodies. |
| b | Is it clear how the progress will be monitored to track impact across the protected characteristics?? | Yes | If this proposal is agreed and implemented, relevant performance indicators will be monitored to identify the impact of this proposal. |
| 6 | Reporting Outcomes and Action Plan | | |
| a | Does the executive summary contain sufficient information on the key findings arising from the assessment? | Yes | |