

Equality Impact Analysis Screening Tool

Section 1: Introduction

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|---|
| Name of proposal For the purpose of this document, 'proposal' refers to a policy, function, strategy or project |
| Cumulative Impact Assessment Policy 2024 - 2027 |
| Service area and Directorate responsible |
| Communities/Public Realm |
| Name of completing officer |
| Tom Lewis, Service Manager, Regulatory Services (Commercial) |
| Head of Service |
| Tom Lewis, Service Manager, Regulatory Services (Commercial) |

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with 'protected characteristics' and those without them
- Foster good relations between those with 'protected characteristics' and those without them

This Equality Impact Analysis provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above. For more information about the Council's commitment to equality, please visit the Council's [website](#).

Section 2: Summary of proposal being screened

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010

This is a Policy that the Council introduce under the Licensing Act 2003. The Council must review its Cumulative Impact Policies every 3 years.

The Council has two Cumulative Impact Policies or Cumulative Impact Assessments (CIA). The Council's first CIA in Brick Lane has been in place now for approximately 7 years and the second one, which is in Bethnal Green has been in place for 3 years.

The review of these CIAs considers:

- Retaining the Brick Lane CIA (Cumulative Impact Assessments), and expanding it to its south and southeastern edge,
- Removing the Bethnal Green CIA (Cumulative Impact Assessments)

The Cumulative Impact Assessments (CIAs) seek to help reduce the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises is having a cumulative impact and leading to problems, which are undermining the licensing objectives:

- Prevention of crime and disorder,
- Public safety,
- Prevention of public nuisance,
- Protection of children from harm.

In considering the policy in view of the Equality Act 2010, though there could be a view that there may be an effect on religious/belief the reason for the policy is statutory. The Policy sits alongside the Council's Statement of Licensing Policy 2022 – 2028, which includes Equality and Inclusion in Licensed Venues and discusses PSED and links the policy to the Council's Equality Policy, it does not appear that there are likely to be any adverse effects on people who share Protected Characteristics as defined by the 2010 Act.

Section 3: Equality Impact Analysis screening

| <p>Is there a risk that the policy, proposal or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below?</p> <p>Please consider the impact on overall communities, residents, service users and Council employees.</p> <p>This should include people of different:</p> | Yes | No | Comments |
|--|--------------------------|-------------------------------------|----------|
| <ul style="list-style-type: none"> ▪ Sex | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> ▪ Age | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

| | | | |
|--|--------------------------|-------------------------------------|--|
| <ul style="list-style-type: none"> ▪ Race | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> ▪ Religion or Philosophical belief | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> ▪ Sexual Orientation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> ▪ Gender re-assignment status | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> ▪ People who have a Disability (physical, learning difficulties, mental health and medical conditions) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> ▪ Marriage and Civil Partnerships status | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> ▪ People who are Pregnant and on Maternity | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| <p>You should also consider:</p> <ul style="list-style-type: none"> ▪ Parents and Carers ▪ Socio-economic status ▪ People with different Gender Identities e.g. Gender fluid, Non-binary etc. ▪ Other | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

If you have answered **Yes** to one or more of the groups of people listed above, **a full Equality Impact Analysis is required**. The only exception to this is if you can 'justify' the discrimination (Section 4).

Section 4: Justifying discrimination

| Are all risks of inequalities identified capable of being justified because there is a: | |
|--|--------------------------|
| (i) <i>Genuine Reason</i> for implementation | <input type="checkbox"/> |
| (ii) The activity represents a <i>Proportionate Means</i> of achieving a <i>Legitimate Council Aim</i> | <input type="checkbox"/> |
| (iii) There is a <i>Genuine Occupational Requirement</i> for the council to implement this activity | <input type="checkbox"/> |

Section 5: Conclusion

Before answering the next question, please note that there are generally only two reasons a full Equality Impact Analysis is not required. These are:

- The policy, activity or proposal is likely to have **no or minimal impact** on the groups listed in section three of this document.
- Any discrimination or disadvantage identified is **capable of being justified** for one or more of the reasons detailed in the previous section of this document.

Conclusion details

Based on your screening does a full Equality Impact Analysis need to be performed?

| Yes | No |
|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If you have answered **YES** to this question, please complete a full Equality Impact Analysis for the proposal

If you have answered **NO** to this question, please detail your reasons in the 'Comments' box below

Comments

The decision-making body is recommended to consider:

- Retaining the Brick Lane CIA (Cumulative Impact Assessments), and expanding it to its south and southeastern edge,
- Removing the Bethnal Green CIA (Cumulative Impact Assessments)

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The Cumulative Impact Assessments (CIAs) seek to help reduce the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises is having a cumulative impact and leading to problems, which are undermining the licensing objectives:

- Prevention of crime and disorder,
- Public safety,
- Prevention of public nuisance,
- Protection of children from harm.

This policy creates a rebuttable presumption that applications for licences under the Licensing Act 2003 in areas covered by the policy, which are likely to add to the existing cumulative impact, will normally be refused following the receipt of representations unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impacts with one or more of the licensing objectives.

A statutory consultation process commenced on 31st January and 25th April 2024.

The policy will be agreed by the full Council.