

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

Name or Brief Description of Proposal	LICENSING ACT 2003 CUMULATIVE IMPACT ASSESSMENT REVIEW
Brief Service Profile (including number of customers)	
<p>There are over 800 premises in the city licensed by the council under the Licensing Act 2003. The vast majority of these include either the sale or the provision of alcohol. Some are just for late night refreshment and a very small number are for regulated entertainment only.</p> <p>There are areas in or near the city centre that are densely populated with licensed premises. This density of premises creates problems for council and partner agency services.</p> <p>To manage this issue a Cumulative Impact Policy (CIP) was incorporated into the Statement of Licensing Policy. This created three stress areas suffering from cumulative impact. London Road/Bedford Place, Above Bar Street and Bevois Valley.</p> <p>The review of the policy and the data supporting it has identified a need to keep the policy, retain the three stress areas with a small adjustment to increase the boundary of Bevois Valley stress area and to include a 4th stress area in Oxford Street.</p>	
Summary of Impact and Issues	
<p>The CIP does not change the presumption of grant principle of the licensing act where there is no valid objection but it does reverse the onus of proof if a valid objection is made. Ordinarily it is for any objector to demonstrate what is being applied for will negatively impact at least one of the four licensing.</p>	

Objectives, whereas an application within a stress area the burden is then placed upon the applicant to demonstrate the application will have no adverse impact on any of the licensing objectives. Effectively making it much more difficult for new premises to obtain a licence or existing premises to amend their licence, such as increasing the hours or range of activities.

The four licensing objectives are:-

- Prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- Protection of children from harm

The CIP allows better management of issues associated licensed premises, in particular crime and disorder and public nuisance. It does then restrict the ability of a business to develop.

The minor change to the Bevois Valley stress area only involves the addition of a large hotel. Whereas the proposal for Oxford Street will involve approximately 30 premises licences.

Potential Positive Impacts

Better management of crime and disorder and public nuisance issues in the area. Oxford Street is close to residential premises and have a number of competing businesses within it. The police have reported an increase in crime and disorder in the area and have increased patrols to manage this. The inclusion of Oxford Street as a stress area make anyone intending to make an application to plan thoroughly and demonstrate they are able to not impact on any of the licensing objectives.

Responsible Service Manager	Phil Bates
Date	11 th August 2023
Approved by Senior Manager	
Date	

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	It is generally younger people who will be impacted by this as they tend to frequent the night time economy. They may want longer hours or more activities.	The proposal is there to protect the public. An area out of control will eventually lose trade.
Disability	No identified impacts	N/A
Gender Reassignment	No identified impacts	N/A
Marriage and Civil Partnership	No identified impacts	N/A

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Pregnancy and Maternity	No identified impacts	N/A
Race	No identified impacts	N/A
Religion or Belief	No identified impacts	N/A
Sex	No identified impacts	N/A
Sexual Orientation	No identified impacts	N/A
Community Safety	Proposal improves community safety	N/A
Poverty	This does restrict a business which might be the difference between survival or not.	The purpose of the policy is to restrict the negative impacts associated with licensable activities, by managing this effectively it is likely to increase the desirability of the area compared to an area out of control with higher levels of crime and disorder
Health & Wellbeing	The CIP is effective at limiting the hours businesses can operate which in turn is likely to reduce the amount of alcohol consumed which will benefit health	N/A
Other Significant Impacts	No identified impacts	N/A