

Assessing the Impact on Equality Characteristics, the Welsh language and Socio-Economic Disadvantage

Please see the sheet *How to Make an Equality Impact Assessment* for support to complete this form. You are also welcome to contact Delyth Williams, Policy and Equality Officer on ext 32708, or DelythGadlysWilliams@gwynedd.llyw.cymru for further assistance.

The Council is required (under the Equality Act 2010) to consider the impact that any changes in any policy or procedure (or the creation of a new policy or procedure) will have on people with protected equality characteristics. The Council also has additional general duties to ensure fairness and to foster good relationships. Therefore, a timely assessment must be made before a decision is taken on any relevant change (i.e. that affects people with protected equality characteristics).

The Council is also required, under the requirements of the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011), to consider the impact that any change in policy or procedure (or creation of a new policy or procedure) will have on opportunities for people to use the Welsh language and to ensure that the Welsh language is not treated less favourably than English. This document therefore ensures that these decisions safeguard and promote the use made of the Welsh language.

From 1 April 2021 onwards, the Council has a duty to give due attention to addressing socio-economic disadvantage in strategic decisions.

1) Details

1.1 What is the name of the policy / service in question?

The Statement of Licensing Policy 2024 - 2029

1.2 What is the purpose of the policy/service that is being created or amended? What changes are being considered?

There is an expectation under the Licensing Act 2003 for Local Authorities acting as licensing authorities to publish a statement of the principles and objectives that will be in operation as they practice their duties under the Act. The Statement of policy is revised every five years, and the Council has recently consulted on the review of the Policy in accordance with the requirements of the Act.

The purpose of the Statement of Licensing Policy is to ensure that every application for a licence under the Act is considered in a fair and consistent manner, and that guidance is given to everyone on how the Council enforces, administrates, and makes decisions under the Licensing Act 2003 and supports licensed activities in the wider interest of the community.

As a Licensing Authority, Cyngor Gwynedd must consider the licensing objectives, as they are set out in part I of the Act, namely -

1. Prevention of Crime and Disorder
2. Public safety
3. Prevention of public nuisance
4. Protection of children from harm

The Equality Act 2010 is designated as one of the main acts that should be considered when drawing up the Statement of Licensing Policy. In the recent review of the Statement, consideration has been given to the expectations of the Well-being of Future Generations Act 2015 – that addresses inequalities.

Whilst trying to support communities where there is diversity in culture among cohorts of people in our communities; the Council expects every licence applicant to ensure that they take steps to ensure that no individual is treated unfairly or is the subject of discrimination because of race, colour, religion, ethnic background, age, sex, sexual orientation or disability, and there is an expectation for the licensed premises' operational practices and management to comply with all legislation that is relevant to racial relationships, equal opportunities and anti-discriminatory Legislation.

The Statement of Policy ensures that procedures are in place to ensure that the process of applying for a licence is a fair one and is free from any type of discrimination.

In the policy, every applicant will be treated equally, ensuring consistency in the process; but special consideration will be given to any relevant needs.

1.3 Who is responsible for this assessment?

Public Protection Manager (Licensing and Pollution Control Service)

1.4 When did you commence the assessment? Which version is this?

This is the first version for this review, that commenced in 2023

2) Action

2.1 Who are the stakeholders or partners with whom we will have to work to carry out this assessment?

Responsible Authorities such as North Wales Police, North Wales Fire & Rescue Service, Betsi Cadwaladr University Health Board, People/Bodies that represent the county's businesses and residents, People/Bodies that represent current licence/certificate holders.

2.2 What steps have you taken to engage with people with protected characteristics, regarding the Welsh language or with communities (either due to location or due to need), who are living with a socio-economic disadvantage?

An open public consultation was held during December 2023 and at the start of January 2024.

2.3 What was the outcome of the engagement?

No observations were received – possibly because there have been no significant changes to the current review of the Statement of Licensing Policy

2.4 On the basis of what other evidence are you acting?

Local evidence such as the census, national statistics, Public Health Wales statistics and strategic documents -

Sources of information that were used – not much local information available, but the following resources were used whilst reviewing the policy.

National Survey for Wales 2019
Time for Change 2020

National Survey for Wales (2020) Adult lifestyles by local authority and health board, 2016-17 to 2019-20 (gov.wales) -

[Adult lifestyles by local authority and health board, 2016-17 to 2019-20 \(gov.wales\)](#)

Public Health data highlights that:- 16% of adults in Gwynedd drink more than the recommended weekly average of alcohol (National Survey for Wales, 2019)

The rate of alcohol consumption according to sex shows that 25.8% of men drink more than the weekly guidelines, compared to 12.7% of women; and that people between 45 and 65years old drink more frequently than any other age group (Public Health Observatory, 2019)

[Alcohol-specific deaths in the UK - Office for National Statistics \(ons.gov.uk\)](#)

Deaths related to conditions which are specific to alcohol have increased consistently since 2013

- Since 2009-10, the percentage of admissions to Hospitals of individuals over 50 years old, specifically because of alcohol; have increased by nearly 23% (Public Health Wales 2020)

bipbc.gig.cymru/cyngor-iechyd/alcohol-cyffuriau-ac-ysmygu/strategaeth-lleihau-niwed-alcohol-gogledd-cymru/north-wales-alcohol-harm-reduction-strategy/alcohol-harm-reduction-strategy-cymraeg-pdf/

The Strategy shows that 60% of alcohol-specific admissions to the hospital for children under 18 years old in the Betsi Cadwaladr University Health Board (BCUHB) were Girls. The statistics in the document also show that there is a higher level of harmful drinking, more than the guidelines, among men. The alcohol drinking level is similar across the income groups; but it appears that there is a higher rate of alcohol-related admissions to hospital among groups who live in deprivation.

2.5 Are there any gaps in the evidence that needs to be gathered?

We are aware that no local data is available.

3) Identifying the Impact

3.1 The Council must duly address the impact that any changes will have on people with the following equality characteristics. What impact will the new policy/service or the proposed changes in the policy or service have on people with these characteristics? It is also necessary to consider the impact on Socio-Economic disadvantage and on the Welsh Language.

Characteristics	What type of impact? *	In what way? What is the evidence?
Race (including nationality)	positive	The policy promotes consistency and fairness when making decisions, considering any specific needs. Also, the policy encourages licensed premises owners to offer a safe environment for all their customers, without discriminating, through the powers of the licensing objectives.
Disability	Positive	The purpose of the policy is to reduce any negative impact, as equality is core to the policy's considerations. The Council and the Policy promotes considerations of the needs of disabled individuals in relation to accessing the licensed premises. The policy promotes the need for a licensed premises applicant to consider the impact of noise on neighbours, and this could have a positive impact on the well-being of individuals in relation to neurodiversity conditions. The policy encourages licensed premises owners to offer a safe environment for all their customers, without discriminating, through the powers of the licensing objectives.

Sex	Positive	<p>A positive impact in terms of sexual equality, as the licensing objectives promote safety, and that licensed premises are being encouraged to promote personal safety matters, such as preventing violence against women, and anti-spiking campaigns.</p> <p>The policy states that the licensing authority needs to be robust in terms of limiting / preventing adult entertainment at a licensed premises, so that there is no risk for women to be exploited.</p> <p>Men are more likely to be victims of violence in situations where excessive drinking of alcohol occurs. The policy encourages promoting moderate drinking; and licensing conditions which prohibit drinking games which encourage irresponsible drinking.</p>
Age	Positive	<p>Positive impact in terms of individuals under 18 – the licensing objectives and the objectives of the policy promote the safety of individuals under 18 from alcohol harm.</p> <p>The policy also promotes the health of working age people and older people as there is a need to consider the cumulative impact of locating several licensed premises in a small area, and also promotes restricting the time during which alcohol is for sale late at night and early in the morning. A licensed premises that offers a safe and comfortable environment also encourages older people to congregate to socialise.</p>
Sexual orientation	Positive	<p>A small positive impact – as the policy promotes licensed premises that are a safe and fair place without discrimination.</p>
Religion or belief (or non-belief)	Positive	<p>The policy has a small positive impact as it encourages consideration of the suitability of locating a licensed premises – for example considering if there are places of worship nearby. Also, the policy promotes licensed premises that are welcoming with a safe and fair environment for all. The Policy encourages licensed premises to offer a variety of non-alcoholic drinks and encourages the use of licensed premises where someone can feel comfortable on the premises without drinking alcohol.</p>
Gender reassignment	Positive	<p>The policy encourages licensed premises owners to offer a safe environment for all their customers, without discriminating, through the powers of the licensing objectives.</p>
Pregnancy and maternity	Positive	<p>The Policy encourages licensed premises to offer a variety of non-alcoholic drinks and encourages the use of licensed premises where someone can feel comfortable on the premises without drinking alcohol.</p>

Marriage and civil partnership	none	None
The Welsh language	Positive	The use of the Welsh Language is promoted, and applicants are encouraged to provide bilingual signs and service. (See 3.3)
Socio-Economic Disadvantage	Positive	<p>The licensing authority recognises that the entertainment industry in Gwynedd is a contributor to the local economy. It attracts tourists and visitors, makes vibrant towns and communities and is a major employer. Commercial occupiers of premises also have a legitimate expectation of an environment that is attractive and sustainable for their businesses. But there must be a balance with the needs of the residential population – there is a duty on the licensing authority to ensure that developments in the hospitality and entertainment sector do not have a negative impact on the area's amenities and population.</p> <p>The Council through the Policy will also have regard to wider considerations affecting the amenities of any area. These include littering and fouling, noise, street crime and the capacity of the county's infrastructure, resources, and police resources to cope with the influx of visitors, particularly at night.</p> <p>The Policy encourages licensed business owners to be aware of individuals who are addicted to drugs or alcohol; or who have mental health problems that need support, and business are encouraged to promote campaigns and connections where customers can seek support.</p> <p>If there is evidence that a specific area of the county already suffers from detrimental impacts as a result of a concentration of late-night premises, or that those residential areas are under pressure, consideration is given to adopting a 'Saturation Policy' under this policy.</p> <p>The impact of such a policy is that the licensing authority could refuse applications for a new Premises Licence, unless an applicant could show how the operation of the premises in question would not add to the negative cumulative impact and the socio-economic factors that are already being experienced.</p>

* Delete as required

3.2 The Council has a duty under the Equality Act 2010 to contribute positively to a fairer society through advancing equality and good relations in its activities in the fields of age, gender, sexual orientation, religion, race, transgender, disability and pregnancy and maternity. The Council must duly address the way any change impacts on these duties.

General Duties of the Equality Act	Does it have an impact?*	In what way? What is the evidence?
Eliminate unlawful discrimination, harassment and victimisation	Yes	A small positive impact as licensed premises owners are encouraged to create an inclusive environment by complying with the licensing objectives, and welcoming everyone in a community, without discriminating.
Promote equal opportunities	Yes	A small positive impact as the Policy and the industry promotes equal opportunities
Building good relationships	possible	The Policy promotes licensed business owners to encourage a welcoming environment for people to socialise in a safe environment.

* Delete as required

3.3 How does your proposal ensure that you work in accordance with the Welsh Language Standards (Welsh Language (Wales) Measure 2011), to ensure that the Welsh language is not treated less favourably than English, and that every opportunity to promote the Welsh language is taken (beyond providing bilingual services) and increase opportunities to use and learn the language in the community?

The Licensing Authority encourages licensed businesses owners, and big events organisers to work with their communities to promote principles that are important in that community, such as social activities through the medium of Welsh. Support and encouragement (but not preference) is given to applications for a premises license from community enterprises where local people fund and commit to maintain, keep and run local pubs that have closed, to promote socialising, and Welsh culture.

3.4 What other measures or changes could you include to strengthen or change the policy / practice to have a positive impact on people's opportunities to use the Welsh language, and to reduce or prevent any detrimental impacts that the policy/practice could have on the Welsh language?

None identified.

3.5 How does the proposal show that you have given due regard to the need to address inequality due to socio-economic disadvantage? (Please note that this relates to closing the inequality gap, rather than just improving outcomes for everyone).

See the socio-economic disadvantage box in section 3.1

There is flexibility within the policy, and in every review of the policy to consider any socio-economic characteristics or any inequalities that are unique to the county, and this is addressed during the 5-year review cycle.

3.6 What other measures or changes can you include to strengthen or change the policy / practice to demonstrate that you have given due regard to the need to reduce disproportionate outcomes because of socio-economic disadvantage, in accordance with the Socio-Economic Act?

The Policy is based on a regional template used by North Wales councils, a significant departure from the template would create inconsistencies which could lead to inequality.

4) Analysing the results

4.1 Is the policy therefore likely to have a significant, positive impact on any of the above? What is the reason for this?

Although the impact is not significantly positive; there is a small positive impact overall compared to the negative small impact that would exist if there was no policy in place.

4.2 Is the policy therefore likely to have a significant, negative impact on any of the above? What is the reason for this?

See above

4.3 What should be done?

Select one of the following:

Continue with the policy / service as it is robust	YES
Revise the policy to remove any barriers	
Suspend and abolish the policy as the harmful impacts are too great	
Continue with the policy as any harmful impact can be justified	
No further steps at present, it is premature to decide, or there is insufficient evidence	

4.4 If you continue with the plan, what steps will you take to reduce or mitigate any negative impacts?

The policy and its impact assessment will be regularly reviewed, and to ensure that the industry gives valid consideration to the policy.

4.5 If you are not taking any further action to remove or reduce the negative impacts, please explain why here.

No negative impacts were identified.

5) Monitoring

5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?

The policy is reviewed every 5 years, and there is a statutory public consultation at the end of the review cycle, with the opportunity to change any aspects which have a negative impact. We will review the impact assessment as required.