



**WATFORD  
BOROUGH  
COUNCIL**

# Equality Impact Analysis

<b>Title of policy, function or service</b>	Licensing Act 2003 Statement of Licensing Policy 2018-2023
<b>Lead officer</b>	Austen Young
<b>Person completing the EIA</b>	Austen Young
<b>Type of policy, function or service:</b>	Existing (reviewed) <input checked="" type="checkbox"/> New/Proposed <input type="checkbox"/>
<b>Version &amp; Date</b>	V1 September 2018

## **1. Background**

### **Statement of Licensing Policy under the Licensing Act 2003**

Under the Licensing Act 2003, Watford Borough Council, in its role as licensing authority, is required to determine and publish a Statement of Licensing Policy (“policy”) every 5 years. The current policy, which was approved in 2013, is due to expiry on 19 November 2018. The policy sets out the council’s approach to processing and determining applications submitted under the Licensing Act 2003.

The purpose of the policy is to ensure that all licence applications received are treated fairly and in a consistent manner, provide advice and information for all about how the council will enforce, administer and make decisions under the Licensing Act 2003 and support licensable activities for the wider benefit of the community. The council must have regard to the licensing objectives as set out in the Licensing Act 2003, which are;

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

The Licensing Act 2003 requires that each application is considered on its own merits. It does not permit certain groups or applicants to be treated differently, and all applications are to be processed in the same manner. Licence applications can be submitted by individuals aged 18 or older, statutory bodies, non-commercial organisations and commercial companies. Objections against licence applications can be made submitted by any person or one or more of the prescribed responsible authorities.

The draft policy specifically mentions, on page 43, that the licensing authority must implement the policy in a manner which is consistent with equalities legislation.

A draft policy was sent out for consultation between 6 July 2018 and 17 August 2018. The Licensing Act 2003 prescribes the groups who need to be consulted.

## **2. Focus of the Equality Impact Analysis**

The policy determines the council’s approach to processing and determining applications made under the Licensing Act 2003. This EIA, therefore, considers the potential equality related impacts, both positive and negative of the policy on the people in the groups or with the characteristics protected in the Equalities Act 2010.

These are:

1. Age
2. Disability
3. Gender Reassignment
4. Pregnancy and maternity
5. Race
6. Religion or belief
7. Sex (gender)
8. Sexual Orientation
9. Marriage and Civil Partnership.

### **3. Engagement and consultation**

The consultation on the policy took place between 6 July 2018 and 17 August 2018, during which time we consulted:

- the statutory responsible authorities
- 469 residential properties within the town centre
- 1037 residential properties within the Sensitive Licensing Areas
- 14 residents' associations
- all 36 local ward councillors
- 329 licensed premises
- 5 council departments (Culture & Events, Legal & Democratic Services, Transport & Infrastructure, Place Shaping & Corporate Performance, and Corporate Strategy & Communications)
- Watford BID

The consultation was advertised on our website during this time, with people invited to participate in a survey on the proposed changes, and was also advertised in the Watford Observer on 6 July 2018.

The survey asked 19 questions on the proposed policy, and this approach was agreed by the Licensing Committee on 25 June 2018. The questions are detailed in the report for this Committee. The report and minutes from this meeting are available to the public through the council's website. The consultation also allowed parties to submit add and submit their own comments.

Overall, 31 responses were received to the consultation. The breakdown of the respondents is as follows:

Residents – 9  
Responsible authorities – 4  
Councillors – 1  
Licence holders – 3  
Council officers – 2  
Residents' associations – 2  
Local business – 1  
Uncategorised – 9

### **4. What we know about the Watford population**

#### **Population**

The current population of Watford is 96,800 (mid 2017 estimate) and is estimated to grow by 16% by 2026. Population growth estimates stated that they expected Watford to reach 100,000 by the end of 2017. In terms of gender breakdown, there are estimated to be fractionally more female than male residents but the difference is not significant.

The population density for Watford is circa 4,500 people per square kilometre. This makes it the most densely populated district area in England and Wales. However, in comparison with some metropolitan boroughs, particularly those in and around the outskirts of London, the density is relatively low.

#### **Households**

The ONS data, based on the census, says that there were 36,681 households in Watford at the time of the Census; as of 31 January 2017 the figure was 39,052. The average household size is currently 2.45, which is average for the region.

From the 2014 projections, one person households see the biggest increase in household growth in Watford, representing 44% of the total household growth.

However, households with dependent children see the next biggest rise, with 35% of household growth; couples with other adults make up 9%; other (multi-person adult) households make up 7% and couple households (without children or other adults) make up the remaining 6% of all estimated growth.

### **Ethnicity**

Watford has a very diverse population, more so than the rest of Hertfordshire. For Watford, the Census 2011 shows the following breakdown in terms of ethnicity: White British (61.9%), White other (7.7%), Pakistani (6.7%), British Indian (5.5%) and British other Asian 4.4%).

It is acknowledged that the Census data is now nearly 10 years old and it is likely that the ethnic profile of the borough has changed during this time. For example, it would not have captured the more recent EU arrivals to the borough (EU2 countries – Romania and Bulgaria, who were given residency rights in 2014). We know from other data such as National Insurance Registration that Watford has experienced a relatively high increase in nationals from the EU2 countries applying for National Insurance registrations as Watford residents. This follows a period of a high number from EU8 countries (including Poland, Latvia, Lithuania) who were given freedom of movement to the UK from 2004. Throughout the period the arrival of new residents from south Asia (e.g. Pakistan / India) has remained relatively constant.

Other data sources, including a school language survey on the languages spoken by Watford school children at home, endorse the National Insurance findings with English still the predominant language (at around 60%) followed by (in order of selection): Urdu, Polish, Tamil, Punjabi, Gujarati, Portuguese, Romanian and Hindi.

From our assessment of our 74,522 electorate (i.e. those aged over 18 and registered to vote) the following main ethnicity groups have been identified.

- British – 61,399
- Polish – 1,791
- Romanian – 1,612
- Rep of Ireland – 1,389
- Indian – 1,079
- Portuguese – 758
- Italian – 747

### **Age**

The largest populations by age band in Watford are:

- 25-44 (31,700)
- 45-59 (18,100)

The numbers in each successive age-band fall progressively until there are estimated to be 6,000 who are 75+. We know that around 74,000 residents are of voting age in Watford and that the borough has a younger profile than the rest of England and Wales.

### **Disability/Health**

Around 85% of the population of Watford state that they have 'good health' and just under 14% record a disability. We do not have details as to what these disabilities are but they will include a

wide range of physical and mental health disabilities or impairment. The 2016 NHS Health Profile's summary conclusion is that the health of people in Watford is 'varied' compared with the England average. About 14% (2,700) of children live in low income families. Life expectancy for both men and women is similar to the England average (which is an improvement on previous years when men's was lower).

The profile also shows that physically active adults has remained stable since 2016 at 54.4%, compared to the England average of 57%. There has been a very small increase from 58.9% to 60% in the percentage of adults classified as overweight or obese in Watford, although significantly better than the England average of 64.8%. Also remaining consistent is the percentage of obese children in Year 6 (aged 10-11) at 16%, significantly better than the England average, which is 19.8%.

### **Religion/Belief**

The religious breakdown in the Census 2011 of the main religions in Watford was: Christian (54.1%), Muslim (9.8%), Hindu (4.8%), with no religion stated at 21.4%.

### **Sexual orientation / Transgender**

Watford has no specific data on the transgender community within the borough

### **Education and skills**

A skilled workforce supports the economic development and employment aspirations for Watford. There has been a mostly increasing trend in Watford over the last few years. Watford's working age population has the third highest percentage (43.7%) in Hertfordshire of those with qualifications at NVQ 4 and above (St. Albans is the highest with 62% and East Herts second highest with 44.2%); this is also higher than both the 40.4% average in Hertfordshire and the England average of 34.2%.

There are fewer people with no qualifications and significantly more people with Level 4/5 qualifications (degree level).

63.6% of Watford young people achieved 5 A\*-C including English & Maths at the end of key stage 4. This is the better than the England average of 57.8%.

### **Homelessness**

Whilst this is not a protected characteristic under the Equality Act 2010, the council recognises that the particular circumstances of people without their own home might be a factor in their taking an active role in our community. We currently have 24 statutory homeless (December 2017) and 188 households in temporary accommodation (December 2017).

### **Deprivation**

The English Indices of Deprivation 2015 was published by the Government in September 2015, and updates the previous 2010 Indices, published in March 2011.

The Indices of Multiple Deprivation (IMD) 2015 uses 37 separate indicators, grouped into seven domains (three of which contain sub-domains); the domains are Income; Employment; Health and Disability; Education, Skills and Training; Crime; Barriers to Housing and Services; and Living Environment. In addition to the domains and their sub-domains there are two supplementary income deprivation Indices: Income Deprivation Affecting Children Index (IDACI) and Income Deprivation Affecting Older People Index (IDAOPI).

In the IMD 2015, Watford is ranked 189 out of 326 authorities, putting it in the 6<sup>th</sup> decile nationally. This means that, overall, Watford is less deprived than half the authorities in England.

Watford is the third most deprived authority in Hertfordshire. (Stevenage and Broxbourne are the most deprived.) However, three Hertfordshire authorities are among the 10% least deprived authorities in England (Three Rivers, East Herts and St Albans).

Overall, Watford is not an area with significant deprivation issues and the majority of the LSOAs within the town are in the bottom 50% of LSOAs nationally for deprivation; the borough's position has improved relative to that of 2010.

The combined deprivation index, which weights income and employment more heavily than the other domains, obscures the more deprived areas in Watford, which are affected by crime, living environment deprivation and education, skills and training deprivation in particular. This is, at least in part, because income and employment deprivation are less of an issue for Watford.

## 5. How will the council ensure equality is promoted through the Statement of Licensing Policy

Under the Equality Act 2010, three areas need to be considered when analysing the equality impact of the Statement of Licensing Policy:

1. **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
2. **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
3. **foster** good relations between people who share a relevant protected characteristic and people who do not

The council is not in a position where it can proactively affect the profile of licence holders, or objectors against licence applications, but the policy ensures that the process of obtaining a licence is fair and free of discrimination. The policy informs prospective applicants what is expected of them and what specific areas a licensing sub-committee will take into account when determining an application. The policy also informs objectors how their objections will be considered, and again these must be considered in a fair manner, against legal requirements, and free of discrimination.

There are no local barriers to anyone making an application.

It must be noted that the sub-committee may depart from policy when determining an application, although such departures should be explained with detailed reasons upon the conclusion of a hearing.

Information people will need to know about the application process, and the legislation, can be accessed via the council's webpage and this feature provides additional support and help to those with a range of equalities related issues such as those for whom English is not the first language, those with visual impairment or learning difficulties.

The council's website features 'browsealoud' which allows people to:

- translate pages into a range of different languages
- enlarge web pages
- activate voice over for web pages
- simplify web page content

Should an applicant's characteristics make it difficult to use this channel then face-to-face and telephone contact is still possible.

## **A. Positive impacts**

The council has not identified any positive effects from the analysis of the consultation responses, the makeup of the Borough, and the way that applications are processed and licences issued.

By ensuring that Watford is a borough where alcohol licensing is well regulated the principles also ensure that it is a place where communities can live safely and peacefully together, thus fostering the good relations that are also part of the council's equality duty.

## **B. Negative impacts**

The council has not identified any negative impacts from the analysis of the consultation responses, the makeup of the Borough and the way that applications are processed and licences issued.

Whilst the consultation itself has not identified any substantial positive or negative impacts from the responses themselves, there are some other impacts that are relevant to the policy and which should be noted:

	Positive	Negative	None	Reasons for Decision
All groups in society	x			Positive:  The aim of the licensing policy is to encourage the effective regulation of alcohol, regulated entertainment and late night refreshment. Through this it will help create a safe and attractive environment across the borough for all communities to enjoy. This, therefore, promotes an active and vibrant community which helps meet the council's duty to foster good relations between people who share a protected characteristic and those who do not.
Age			x	The council's policy on the protection of children from harm was broadly supported by the responses to the consultation, and there is no proposal to change this approach.
Disability			x	
Gender Reassignment			x	
Pregnancy and maternity			x	
Race			x	
Religion or belief			x	
Sex (gender)			x	
Sexual Orientation			x	
Marriage & Civil Partnership.			x	

## 6. Overall conclusion

On consideration, the overall conclusion of the EIA is that there is no negative impact on any specific characteristic or group as a result of this Policy.

In the policy, no particular group is given priority over another in relation to implementation of the policy and how any applicant is dealt with. The Act requires that each application is to be assessed on its individual merits, so all groups should be treated equally. All applicants are required to comply with all of the relevant legislation.



In general, it is felt that the policy has a positive effect on all people who live, work or socialise in Watford.

**This EIA has been approved by:**

**.....J Hoy..... Date 20.9.18.....**  
**Head of Environmental Health & Licensing**