

# Equality Impact Assessment [version 2.12]



Title: Cumulative Impact Assessment Policy 2024-2027	
<input checked="" type="checkbox"/> Policy <input type="checkbox"/> Strategy <input type="checkbox"/> Function <input type="checkbox"/> Service <input type="checkbox"/> Other [please state]	<input type="checkbox"/> New <input checked="" type="checkbox"/> Already exists / review <input type="checkbox"/> Changing
Directorate: Growth and Regeneration	Lead Officer name: Dakota Delahunty
Service Area: Highways	Lead Officer role: Senior Licensing Officer

## Step 1: What do we want to do?

The purpose of an Equality Impact Assessment is to assist decision makers in understanding the impact of proposals as part of their duties under the Equality Act 2010. Detailed guidance to support completion can be found here [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#).

This assessment should be started at the beginning of the process by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It is good practice to take a team approach to completing the equality impact assessment. Please contact the [Equality and Inclusion Team](#) early for advice and feedback.

### 1.1 What are the aims and objectives/purpose of this proposal?

Briefly explain the purpose of the proposal and why it is needed. Describe who it is aimed at and the intended aims / outcomes. Where known also summarise the key actions you plan to undertake. Please use plain English, avoiding jargon and acronyms. Equality Impact Assessments are viewed by a wide range of people including decision-makers and the wider public.

Bristol City Council (The Council) is the 'Licensing Authority' for all licensable activities under Licensing Act 2003 within Bristol. Licensable activities are:

- The sale of alcohol by retail
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment

The Licensing Act 2003 (The Act) is prescriptive with regard to how policy should be formulated and guidance is provided by the Secretary of State for local authorities to use when developing licensing policies.

The Council's current policy includes reference to a City Centre Cumulative Impact Area (CIA). The Policing and Crime Act 2017, with effect from 6 April 2018, introduced cumulative impact policies into law so that they now have a legal footing.

The Licensing Act 2003 now states a licensing authority may publish a document (a Cumulative Impact Assessment) stating that it considers that the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in that area and restrict changes to licensable activities of existing licences.

A Cumulative Impact Assessment must set out the evidence for the authority's opinion and before publishing the assessment the authority must consult with those affected, including the public, businesses and responsible authorities. The assessment must be reviewed every three years.

The current Cumulative Impact Assessment was implemented following evidence produced by Avon and Somerset Constabulary to support their request that the central area of Bristol be designated a CIA. The premises affected by the existing Cumulative Impact Assessment are those that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the assessment is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from "fast food" outlets)

On 8 March 2021 the Licensing Committee approved a new Cumulative Impact Assessment to run from 8 March 2021 to 7 March 2024 which related to the city centre area. As the Cumulative Impact Assessment expires in 2024, a consultation has been undertaken to determine whether to retain the current Cumulative Impact Area, adopt a new Cumulative Impact Area or remove the existing Cumulative Impact Area entirely."

A Cumulative Impact Assessment is a discretionary policy, and the Council does not have to adopt one. A consultation was undertaken from 29 June 2023 to 21 September 2023 to see whether there is evidence that a Cumulative Impact Area is required in Bristol.

A working group was held on 22 November 2023 to assess whether there is evidence that a Cumulative Impact Area is required within the City Boundary, or whether there is insufficient evidence for this to be adopted. The working group determined that there is insufficient evidence to retain or adopt a new Cumulative Impact Assessment.

The effect of adopting a Cumulative Impact Assessment is to create a rebuttable presumption if relevant representations to that effect are received, that applications for new premises authorisations or club premises certificates or material variations will normally be refused, unless it can be demonstrated that the operation of the premises involved will be unlikely to add to the cumulative impact already being experienced. What constitutes a material variation will depend upon the policy in place and the reasons for the area being designated as suitable for adoption of a special policy.

The decision to publish, or remove the Cumulative Impact Assessment must be determined by the Council's Licensing Committee.

## 1.2 Who will the proposal have the potential to affect?

<input type="checkbox"/> Bristol City Council workforce	<input checked="" type="checkbox"/> Service users	<input checked="" type="checkbox"/> The wider community
<input type="checkbox"/> Commissioned services	<input checked="" type="checkbox"/> City partners / Stakeholder organisations	
Additional comments:		

## 1.3 Will the proposal have an equality impact?

Could the proposal affect access levels of representation or participation in a service, or does it have the potential to change e.g. quality of life: health, education, or standard of living etc.?

If 'No' explain why you are sure there will be no equality impact, then skip steps 2-4 and request review by Equality and Inclusion Team.

If 'Yes' complete the rest of this assessment, or if you plan to complete the assessment at a later stage please state this clearly here and request review by the Equality and Inclusion Team.

<input checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	[please select]
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## Step 2: What information do we have?

### 2.1 What data or evidence is there which tells us who is, or could be affected?

Please use this section to demonstrate an understanding of who could be affected by the proposal. Include general population data where appropriate, and information about people who will be affected with particular reference to protected and other relevant characteristics: [How we measure equality and diversity \(bristol.gov.uk\)](https://www.bristol.gov.uk/equality-diversity)

Use one row for each evidence source and say which characteristic(s) it relates to. You can include a mix of qualitative and quantitative data e.g. from national or local research, available data or previous consultations and engagement activities.

Outline whether there is any over or under representation of equality groups within relevant services - don't forget to benchmark to the local population where appropriate. Links to available data and reports are here [Data, statistics and intelligence \(sharepoint.com\)](https://www.bristol.gov.uk/data-statistics-intelligence). See also: [Bristol Open Data \(Quality of Life, Census etc.\); Joint Strategic Needs Assessment \(JSNA\); Ward Statistical Profiles.](#)

For workforce / management of change proposals you will need to look at the diversity of the affected teams using available evidence such as [HR Analytics: Power BI Reports \(sharepoint.com\)](https://www.bristol.gov.uk/hr-analytics-power-bi-reports) which shows the diversity profile of council teams and service areas. Identify any over or under-representation compared with Bristol economically active citizens for different characteristics. Additional sources of useful workforce evidence include the [Employee Staff Survey Report](#) and [Stress Risk Assessment](#)

Data / Evidence Source [Include a reference where known]	Summary of what this tells us
Consultation Responses	<p>The full consultation carried out gathered evidence to ascertain if the retention of these CIAs is appropriate or if new CIAs are required for other areas.</p> <p>The operation of a CIA can however impact on those who do not live in its geographical area, for example those impacted may wish to open a business in the area or frequent licensed premises in the area.</p> <p>Evidence received in relation to the existing Cumulative Impact Areas located outside of the centre is insufficient to support their retention.</p>
Quality of Life 2022-23 – Open Data Bristol	There are significant disparities based on personal characteristics and circumstances in the extent to which people in Bristol feel safe outdoors after dark, and for whom feeling safer from crime would encourage them to visit venues and events more often at night.

Data / Evidence Source [Include a reference where known]	Summary of what this tells us		
		% who feel safe outdoors after dark	% for whom feeling safer from crime would encourage them to visit venues and events more often at night
	Bristol Average	58	32.021
	Most Deprived 10%	37	30
	16 to 24 years	52	28
	50 years and older	59	19
	65 years and older	59	17
	Female	49	26
	Male	66	17
	Disabled	43	28
	Black, Asian and minority ethnic	55	32
	Asian/Asian British	61	38
	Black/Black British	52	25
	Mixed/Multiple ethnic groups	52	30
	White Minority Ethnic	58	21
	White British	58	20
	Christian	57	22
	Other religion	48	34
	No religion or faith	60	19
	Single parent	46	27
	Two parent	62	15
	No qualifications	47	23
	Owner Occupier	61	18
	Rented from housing association	47	32
	Rented from the council	43	30
	Rented from private landlord	54	26
	Non degree qualifications	50	24
	Degree qualifications	62	20
	Part-time carer	52	22
	Full-time carer	44	27
	Carer (All)	50	24
	Parents (All)	60	17
	Lesbian, Gay, Bisexual +	54	24
2021 Census	Age		

Data / Evidence Source [Include a reference where known]	Summary of what this tells us
	<p>The 2021 Census tells us that;</p> <ul style="list-style-type: none"> <li>The median age of people living in Bristol is 34.3 compared to the UK median of 40.6. The age profile of people using the night time economy would be mostly the median age and younger.</li> <li>13.4% of students make up the population in Bristol</li> </ul>
<b>Additional comments:</b>	

## 2.2 Do you currently monitor relevant activity by the following protected characteristics?

<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender Reassignment
<input type="checkbox"/> Marriage and Civil Partnership	<input type="checkbox"/> Pregnancy/Maternity	<input type="checkbox"/> Race
<input type="checkbox"/> Religion or Belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual Orientation

## 2.3 Are there any gaps in the evidence base?

Where there are gaps in the evidence, or you don't have enough information about some equality groups, include an equality action to find out in section 4.2 below. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. If you are unable to fill in the gaps, then state this clearly with a justification.

For workforce related proposals all relevant characteristics may not be included in HR diversity reporting (e.g. pregnancy/maternity). For smaller teams diversity data may be redacted. A high proportion of not known/not disclosed may require an action to address under-reporting.

<p>Licence holders</p> <p>There are approximately 2,250 holders of Premises Licences in the city, each licence permits a range of regulated activity including the supply of alcohol and provision of regulated entertainment. There is no data available specifically in respect of the demography of licence holders in Bristol. This is primarily because the application forms are prescribed by the Home Office and currently do not request equalities information. Furthermore licence holders are often businesses. Having said that many licences are held by business organisations, particularly large entertainment venues (cinemas, night clubs etc.). The largely anecdotal information and observation from officers indicates that holders of Licences for premises such as off licences, restaurants and takeaways are in the majority from Black, Asian and minoritised ethnic communities. Therefore when considering the impact on licence holders and the public we need to rely on data covering the whole of the city whilst bearing in mind that spatially the demography of Bristol varies.</p>
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## 2.4 How have you involved communities and groups that could be affected?

You will nearly always need to involve and consult with internal and external stakeholders during your assessment. The extent of the engagement will depend on the nature of the proposal or change. This should usually include individuals and groups representing different relevant protected characteristics. Please include details of any completed engagement and consultation and how representative this had been of Bristol's diverse communities.

Include the main findings of any engagement and consultation in Section 2.1 above.

If you are managing a workforce change process or restructure please refer to [Managing a change process or restructure \(sharepoint.com\)](#) for advice on consulting with employees etc. Relevant stakeholders for engagement about workforce changes may include e.g. staff-led groups and trades unions as well as affected staff.

The policy is subject to statutory consultation. The consultation was on the Council’s Consultation and Engagement Hub. We also included the following parties in the consultation;

- Club premises certificate holders
- Premises licence holders
- Local residents groups
- A variety of charities, legal firms, and the Business Improvement Districts
- Relevant equalities groups

Alternative versions of the survey such as paper, large print etc were available on request

## 2.5 How will engagement with stakeholders continue?

Explain how you will continue to engage with stakeholders throughout the course of planning and delivery. Please describe where more engagement and consultation is required and set out how you intend to undertake it. Include any targeted work to seek the views of under-represented groups. If you do not intend to undertake it, please set out your justification. You can ask the Equality and Inclusion Team for help in targeting particular groups.

A cumulative impact assessment can be reintroduced at any time based on evidence provided. This can be submitted to the Licensing Authority by stakeholders;

In addition there is a statutory requirement to review the statement of licensing policy every five years which requires a consultation process.

## Step 3: Who might the proposal impact?

Analysis of impacts must be rigorous. Please demonstrate your analysis of any impacts of the proposal in this section, referring to evidence you have gathered above and the characteristics protected by the Equality Act 2010. Also include details of existing issues for particular groups that you are aware of and are seeking to address or mitigate through this proposal. See detailed guidance documents for advice on identifying potential impacts etc. [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#)

### 3.1 Does the proposal have any potentially adverse impacts on people based on their protected or other relevant characteristics?

Consider sub-categories and how people with combined characteristics (e.g. young women) might have particular needs or experience particular kinds of disadvantage.

Where mitigations indicate a follow-on action, include this in the ‘Action Plan’ Section 4.2 below.

#### GENERAL COMMENTS (highlight any potential issues that might impact all or many groups)

- The absence of a Cumulative Impact Assessment may exacerbate the fear of crime felt as it might be perceived the night time economy is not as strictly managed. This may have a disproportionate impact on some groups who will fear there may be an increase in anti-social behaviour or harassment etc. This risk would need to be mitigated through other aspects of licensing policy.
- Applications still have to go through a statutory process, the removal of the CIA just changes it from a rebuttal presumption (starting from the point of refusal), to a presumption the licence will be granted.

#### PROTECTED CHARACTERISTICS

**Age: Young People**

Does your analysis indicate a disproportionate impact? Yes  No

Potential impacts:

Anecdotally a large proportion of those working in the late night economy are young people, having CIA could result in fewer premises, which could result in fewer job

	<p>opportunities. 13.4% of young people in the city are students , this may therefore have a disproportionate effect on them</p> <p>Not having a CIA could result in more premises potentially increasing job opportunities. It may also increase the risk of instances of crime and disorder. Since younger people are more likely to be involved in the late night economy this may impact them directly.</p>
Mitigations:	<p>The adoption of a Cumulative Impact Assessment follows a statutory process and must be evidence based. If there is no evidence to support a CIA then the Council cannot impose a one.</p> <p>The current CIA doesn't prohibit a licence being granted, but it makes it less likely that those applications going into later hours, or which are predominately alcohol led will be granted.</p> <p>The Council's statement of licensing policy sets out actions and objectives to help protect young people from harm. This includes measures to reduce underage drinking</p>
<b>Age: Older People</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	No impact identified at this stage
Mitigations:	
<b>Disability</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	No impact identified at this stage
Mitigations:	
<b>Sex</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	<p>A well managed night time economy is beneficial to women, 88 % of needle spiking victims are female (<a href="#">source</a>)</p> <p>Women are more severely harmed, emotionally and physically, in alcohol related violence in the night time economy. If a Cumulative Impact Area is not implemented this could result in a rise in crime.</p> <p>Better management of licensed venues may also benefit men who may be deterred from alcohol related violence. Men are more likely to commit crimes when under the influence of alcohol. Nearly a fifth (19%) of all adult binge drinkers reported committing an offence in the previous year compared with 6% of other regular drinkers and 3% of those who occasionally or never drank alcohol (Source: General Lifestyle Survey, 2011). The publication of a Cumulative Impact Assessment in respect of the city centre does not impact on the management of individual licensed venues.</p> <p>49% of female respondents to the Bristol Quality of Life survey stated they feel safe outdoors after dark, 66% of male respondents stated the feel safe after dark.</p>
Mitigations:	<p>The adoption of a Cumulative Impact Assessment follows a statutory process and must be evidence based. If there is no evidence to support a CIA then the Council cannot impose a one.</p> <p>A CIA doesn't prohibit a licence being granted, but it makes it less likely that those applications going into later hours, or which are predominately alcohol led will be granted.</p> <p>Some women may feel safer in a location with a busy late night economy, as there is a larger presence of policing, security staff and people. They also tend to be well lit, may have CCTV and good local transport links.</p>
<b>Sexual orientation</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Potential impacts:	A well managed night time economy is beneficial to LGBTQ+ customers who can be targeted for hate crime, if CIA is removed there could be an increase in crime including hate crime.
Mitigations:	The adoption of a Cumulative Impact Assessment follows a statutory process and must be evidence based. If there is no evidence to support a CIA then the Council cannot impose a one.  A CIA doesn't prohibit a licence being granted, but it makes it less likely that those applications going into later hours, or which are predominately alcohol led will be granted.
<b>Pregnancy / Maternity</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	No impact identified at this stage
Mitigations:	
<b>Gender reassignment</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	A well managed night time economy is beneficial to gender reassigned customers who can be targeted for hate crime, if CIA is removed there could be an increase in crime including hate crime  Some people may feel safer in a location with a busy late night economy, as there is a larger presence of policing, security staff and people. They also tend to be well lit, may have CCTV and good local transport links.
Mitigations:	
<b>Race</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	Black, Asian and minority ethnic led businesses within the city centre area could be adversely affected by the CIA as it creates a rebuttal presumption. Therefore the removal of this there means there is a presumption that licence applications shall be granted unless there is good reason not to, removing barriers for these groups.  32% of Black Asian & Minority Ethnic respondents to the Bristol Quality of Life survey stated that feeling safer from crime would encourage them to visit venues and events more often at night
Mitigations:	
<b>Religion or Belief</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	Some religious groups do not consume alcohol as part of their faith, and may feel uncomfortable with a high number of premises which serve alcohol.
Mitigations:	Whilst a CIA creates a rebuttal process, it is a statutory requirement that we accept all applications, and they are determined on a case by case basis. In addition individuals have a choice of whether they attend premises.
<b>Marriage &amp; civil partnership</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	No impact identified at this stage
Mitigations:	
<b>OTHER RELEVANT CHARACTERISTICS</b>	
<b>Socio-Economic (deprivation)</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Carers</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	No impact identified at this stage
Mitigations:	
<b>Other groups</b> [Please add additional rows below to detail the impact for any other relevant groups as appropriate e.g. asylum seekers and refugees; care experienced; homelessness; armed forces personnel and veterans]	
Potential impacts:	No impact identified at this stage

Mitigations:	
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### 3.2 Does the proposal create any benefits for people based on their protected or other relevant characteristics?

Outline any potential benefits of the proposal and how they can be maximised. Identify how the proposal will support our [Public Sector Equality Duty](#) to:

- ✓ Eliminate unlawful discrimination for a protected group
- ✓ Advance equality of opportunity between people who share a protected characteristic and those who don't
- ✓ Foster good relations between people who share a protected characteristic and those who don't

Black, Asian and minority ethnic led businesses within the city centre area could be adversely affected by the CIA as it creates a rebuttal presumption. Therefore the removal of this there means there is a presumption that licence applications shall be granted unless there is good reason not to, removing barriers for these groups.

This benefit would also apply to the number of LGBTQ+ venues are located within the City Centre.

## Step 4: Impact

### 4.1 How has the equality impact assessment informed or changed the proposal?

What are the main conclusions of this assessment? Use this section to provide an overview of your findings. This summary can be included in decision pathway reports etc.

If you have identified any significant negative impacts which cannot be mitigated, provide a justification showing how the proposal is proportionate, necessary, and appropriate despite this.

#### Summary of significant negative impacts and how they can be mitigated or justified:

The adoption of a Cumulative Impact Assessment follows a statutory process and must be evidence based. If there is no evidence to support a CIA then the Council cannot impose a one.

The evidence presented following the consultation is not sufficient to retain the existing Cumulative Impact Area, or implement a new Cumulative Impact Area.

Whilst the removal of the CIAs does remove the rebuttable presumption against obtaining a licence it does not mean the night time economy is any less controlled. Applications will still be considered based on their impact on the four licensing objectives and the cumulative impact of the number of licensed premises can still be considered. The operation of individual venues is not affected by the removal of a CIA.

#### Summary of positive impacts / opportunities to promote the Public Sector Equality Duty:

Removing the Cumulative Impact Assessment removes the rebuttal process, and means that it is presumed applications will be granted., unless there is good reason not to.

This may remove barriers for applicants, and increase job opportunities.

### 4.2 Action Plan

Use this section to set out any actions you have identified to improve data, mitigate issues, or maximise opportunities etc. If an action is to meet the needs of a particular protected group please specify this.

Improvement / action required	Responsible Officer	Timescale
Present report to Licensing Committee	Abigail Holman	25 <sup>th</sup> January 2024

Improvement / action required	Responsible Officer	Timescale
Amend statement of Licensing Policy to remove references to CIA	Dakota Delahunty	W/C 29 <sup>th</sup> January 2024

### 4.3 How will the impact of your proposal and actions be measured?

How will you know if you have been successful? Once the activity has been implemented this equality impact assessment should be periodically reviewed to make sure your changes have been effective your approach is still appropriate.

The retention of the existing CIA cannot be justified based on the evidence received as a result of the consultation. The necessity for a Cumulative Impact Assessment Policy will be reviewed as required. Paragraph 6.3.7 the Statement of Licensing Policy states:

*The absence of a CIA does not prevent any responsible authority or other person making evidence based relevant representations on a new application for the grant of an authorisation on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.*

This will ensure that where an area may be experiencing issues due to the number of licensed premises objections can still be raised and taken into account by the Council when determining applications.

## Step 5: Review

The Equality and Inclusion Team need at least five working days to comment and feedback on your EqIA. EqIAs should only be marked as reviewed when they provide sufficient information for decision-makers on the equalities impact of the proposal. Please seek feedback and review from the [Equality and Inclusion Team](#) before requesting sign off from your Director<sup>1</sup>.

<b>Equality and Inclusion Team Review:</b> <b><i>Reviewed by Equality and Inclusion Team</i></b>	<b>Director Sign-Off:</b> 
Date: 17/01/2024	Date: 18 January 2024

<sup>1</sup> Review by the Equality and Inclusion Team confirms there is sufficient analysis for decision makers to consider the likely equality impacts at this stage. This is not an endorsement or approval of the proposal.