

STATEMENT OF LICENSING POLICY and THE EQUALITY ACT 2010

There is a statutory requirement for the Council to consult on the Council's Statement of Licensing Policy prior to that Policy being adopted. The Council last consulted on the Policy in 2010 prior to them approving the Policy.

However, it is now proposed that the Policy be amended to take into account the effect of The Equality Act 2010. This Act provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

The Licensing and Regulatory Committee approved the consultation on the proposed amendment at their meeting on 5 August 2013. The Council would therefore welcome any comments you may have on the proposed amendment (see below) to the Statement of Licensing Policy.

Any comments should be sent to The Licensing Unit at the above address no later than 9 October 2013.

The responses to the consultation will be considered at a future meeting of the Council's Licensing and Regulatory Committee.

It is proposed that an additional section be included in the Statement of Licensing Policy as follows: -

EQUALITY ACT 2010

The Act extends the protection of the law on the basis of protected characteristics to users of licensed premises and to employees of licence holders.

The Act covers nine **protected characteristics**, which are:

- **Age**
Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
- **Disability**
A person has a disability if he/she has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
- **Gender reassignment**
The process of transitioning from one gender to another.
- **Marriage and civil partnership**
Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.
- **Pregnancy and maternity**
Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

- **Race**
Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
- **Religion and belief**
Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
- **Sex**
A man or a woman.
- **Sexual orientation**
Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

All licence holders should ensure that they comply with the Act in respect of their clients and also to their employees.

Licence holders who set standards of behaviour for their customers or clients, which have a worse impact on people who share a particular protected characteristic than on people who do not share that characteristic, must make sure that they can objectively justify what they have done. Otherwise, it will be indirect discrimination.

A licence holder who sets standards of behaviour must make reasonable adjustments to the standards for disabled people and avoid discrimination arising from disability

Further sources of information are available at the Equality and Human Rights Commission - <http://www.equalityhumanrights.com/advice-and-guidance/service-providers-guidance/further-sources-of-information/>