



Derry City & Strabane
District Council

Comhairle
**Chathair Dhoire &
Cheantar an tSratha Báin**

Derry Cittie & Stràbane
Destrict Cooncil

Amusement Policy

Screening Of New Council Policies

(Questionnaire)

Screening of New Policies

Introduction and Guidance Notes

1.1 Section 75 of the Northern Ireland 1998 ("The Act") requires the Council in carrying out its functions, powers and duties to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with disability and persons without;
- between persons with dependants and persons without.

1.2 In addition, without prejudice to its obligations above, the Council shall in carrying out its functions, powers and duties have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group. The Council supports the principles of good relations: equity, respecting diversity and interdependence, and the development of relationships built on trust and respect.

1.3 As stated in its Equality Scheme, the Council intends to screen all of its policies (formal and informal), functions and roles in order to determine which would require a fuller equality analysis in the form of an impact assessment.

1.4 This questionnaire is aimed at providing a standardised, systematic approach to the screening exercise. A summary of this document will be made available to the Council's consultees and the general public, via the Council's web-site and in other formats, (upon request). This document may also be produced, in full, as part of consultations regarding Equality Impact Assessments.

1.5 When the Council is considering a new policy, it will determine whether the policy has the potential to have significant implications for equality of opportunity on the Section 75 categories if so will conduct a full equality impact assessment. It will also help to determine if there are opportunities to better promote good relations through tackling

prejudice and/ or promoting understanding between the three Section 75 (2) categories, namely persons of different religious belief, political opinion and racial group.

1.6 Where due limited quantitative and/or qualitative research data, it is not possible to establish the 'significance' of the equality impact, policies which score positively against any of the screening criteria should be designated for detailed impact assessment.

Part 1: Policy Scoping

1. Name of Policy: Amusement Permit Policy

2. Please tick as appropriate

New Policy

Revised Policy

Corporate Policy

Departmental Policy

If Departmental, please specify which Department; Health, Community and Wellbeing, Licensing section. __

3a. Please describe the aims of the policy:

The overall aim of the amusement permit policy is to serve as a guide for Elected Members, Council officers, applicants and the wider public on applications for amusement permits in the Derry and Strabane District Council area.

The Council will endeavour to ensure that all action taken on the advice of this policy is lawful, reasonable and proportionate.

While the legislation that the policy refers to is the 'Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985' as amended, ('the 1985 Order'), it must be noted that this policy deals only with the grant or provisional grant of an 'Amusement Permit' and not gambling in entirety.

4. Are there any Section 75 groups which might be expected to benefit from the intended policy?

No. The policy fulfils statutory requirements and applies impartially to all persons equal.

5. Who initiated or wrote the policy?

The policy was initiated on the recommendations from an internal licensing audit report. The Principal Officer (Licensing) wrote the policy.

6. Who is responsible for the implementation of the policy?

Elected members are responsible for implementing the policy when considering applications for the grant or provisional grant of an amusement permit.

7. Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

If yes, are they

Financial

Legislative

Other, please specify _____

8. Who are the internal/external stakeholders (actual or potential) that the policy will impact upon?

Staff

Service Users

Other public sector organisations

Voluntary/Community/Trade Unions

Other, Please specify – Amusement Permit Holders

9. Is this policy associated with any other Council Policy(s)?

Yes

No

However, the policy makes reference to the Local Development Plan and Planning.

10(a). How does the policy contribute towards the achievement of the Council's strategic objectives?

This policy will ensure greater clarity, transparency and consistency to the decision making process for assessing applications for Amusement Permits. By outlining those matters and criteria which Council may take into account in determining an application for an amusement permit.

11. How does the Council interface with other bodies in relation to the implementation of this policy?

Whilst this policy attempts to introduce greater certainty into decision-making on amusement permit applications, its contents do not prejudice the statutory power of the Council, under Article 111 ‘*Grant of Amusement Permits*’ of the ‘*Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985*’ as amended, (‘the 1985 Order’).

Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data. The policy was open for a 6 week period for public consultation. Public notice was advertised in all newspapers approved by Council advising the public that the proposed policy could be viewed on the Council website or at the Council Offices. Written consultation was posted to 15 Amusement Permit Businesses, 78 Churches and 37 Community Groups. There were 8 written replies at the close of the consultation process. All their comments were populated and reported to Committee.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 category	Details of evidence/information
Religious belief	<p>All churches registered in the council district (78 churches) representing different beliefs were written to individually and invited to respond to the proposed policy.</p> <p>A public notice was published in the 6 newspapers approved by Council inviting everyone to respond to the policy;</p> <p>The policy was posted on the Council’s website for a 5 week period inviting everyone to have an input.</p>
Political opinion	<p>The policy was put to Health and Community Committee of the Council. The Committee has an all-encompassing membership of political parties.</p> <p>The Committee is a fair representation for all sections of the Council District political opinion.</p>

**Political
Opinion
(contd)**

Racial group	<p>Community Groups registered in the council district (75) representing different beliefs were written to individually and invited to respond to the proposed policy.</p> <p>A public notice was published in the 6 newspapers approved by Council inviting everyone to respond to the policy;</p> <p>The policy was posted on the Council's website for a 6week period inviting everyone to have an input.</p>

<p>Racial Group (contd)</p>	
<p>Age</p>	<p>The premises that this policy refers to has a statutory requirement under the 'Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985' as amended, ('the 1985 Order'). Persons under the age of 18 cannot be on the premises.</p>
<p>Marital status</p>	<p>The policy was open for a 6 week period for public consultation. Public notice was advertised in all newspapers approved by Council advising the</p>

	<p>public that the proposed policy could be viewed on the Council website or at the Council Offices. Written consultation was posted to 15 Amusement Permit Businesses, 78 Churches and 75 Community Groups.</p> <p>There were 8 written replies at the close of the consultation process. All comments were populated and reported to the Health and Community Committee.</p>
<p>Sexual orientation</p>	<p>The policy was open for a 6 week period for public consultation. Public notice was advertised in all newspapers approved by Council advising the public that the proposed policy could be viewed on the Council website or at the Council Offices. Written consultation was posted to 15 Amusement Permit Businesses, 78 Churches and 75 Community Groups.</p> <p>There were 8 written replies at the close of the consultation process. All comments were populated and reported to the Health and Community Committee.</p>
<p>Men and women generally</p>	<p>The policy was open for a 6 week period for public consultation. Public notice was advertised in all newspapers approved by Council advising the public that the proposed policy could be viewed on the Council website or at the Council Offices. Written consultation was posted to 15 Amusement Permit Businesses, 78 Churches and 75 Community Groups.</p>

	<p>There were 8 written replies at the close of the consultation process. All their comments were populated and reported to the Health and Community Committee.</p>
<p>Disability</p>	<p>The policy was open for a 6 week period for public consultation. Public notice was advertised in all newspapers approved by Council advising the public that the proposed policy could be viewed on the Council website or at the Council Offices. Written consultation was posted to 15 Amusement Permit Businesses, 78 Churches and 75 Community Groups.</p> <p>There were 8 written replies at the close of the consultation process. All their comments were populated and reported to the Health and Community Committee.</p>
<p>Dependant</p>	<p>The policy was open for a 6 week period for public consultation. Public notice was advertised in all newspapers approved by Council advising the public that the proposed policy could be viewed on the Council website or at the Council Offices. Written consultation was posted to 15 Amusement Permit Businesses, 78 Churches and 75 Community Groups.</p> <p>There were 8 written replies at the close of the consultation process. All their comments were populated and reported to the Health and Community Committee.</p>

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Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 category	Details of needs/experiences/priorities
Religious belief	No feedback on needs/experience/priorities were expressed or identified
Political opinion	No feedback on needs/experience/priorities were expressed or identified

<p>Political Opinion (contd)</p>	
<p>Racial group</p>	<p>No feedback on needs/experience/priorities were expressed or identified.</p>
<p>Age</p>	<p>No feedback on needs/experience/priorities were expressed or identified.</p> <p>However legislation restricts persons under 18 years old utilising premises with amusement permits.</p>
<p>Marital status</p>	<p>No feedback on needs/experience/priorities were expressed or identified</p>
<p>Sexual orientation</p>	<p>No feedback on needs/experience/priorities were expressed or identified</p>

Men and women generally	No feedback on needs/experience/priorities were expressed or identified
Disability	No feedback on needs/experience/priorities were expressed or identified
Dependants	No feedback on needs/experience/priorities were expressed or identified

Part 2: Screening questions

Introduction

Equality of Opportunity

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1 and 2.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity.

In favour of none

The policy has no relevance to equality of opportunity.

- a) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity for people within the equality categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity for those affected by this policy, in any way, for each of the equality categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.

Good Relations and Disability Duties

In relation to the policy under consideration, if the answer to the screening questions 3 to 5 set out in the screening template a designated working group will:

- Consider the potential opportunities to promote good relations (Q3)
- Consider the potential opportunities to promote positive attitudes towards people with a disability (Q4)
- Consider the potential opportunities to encourage participation by disabled people in public life.

The group will collate all available evidence and consult with relevant stakeholders as part of its consideration, where this consultation is proportionate, relevant and enhances decision-making.

Completion of the screening template will take the Group's consideration into account together with relevant evidence.

Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? minor/major/none		
Section 75 category	Details of policy impact	Level of impact? minor/major/none
Religious belief		None
Political opinion		None
Racial group		None
Age		None
Section 75 category	Details of policy impact	Level of impact? minor/major/none
Marital status		None
Sexual orientation		None

Men and women generally		None
Disability		None
Dependants		None
2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?		
Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief		The policy does not impact on the equality of opportunity for 'Religious Belief'.
Political opinion		The policy does not impact on the equality of opportunity for 'Political Opinion'.
Racial group		The policy does not impact on the equality of opportunity for 'Racial Group'.
Age		The policy does not impact on the equality of opportunity for 'Age'.

Marital status		The policy does not impact on the equality of opportunity for 'Marital Status'.
Sexual orientation		The policy does not impact on the equality of opportunity for 'Sexual Orientation'.
Men and women generally		The policy does not impact on the equality of opportunity for 'Men and Woman'.
Disability		The policy does not impact on the equality of opportunity for 'Disability'.
Dependants		The policy does not impact on the equality of opportunity for 'Dependants'.

3. Are there opportunities to better promote good relations between Section 75 equality categories through tackling prejudice and/or promoting understanding?

Yes
 No

If Yes, the policy will be considered by a Designated Working Group

Section 75 category	Details of opportunities identified (including details of consultation with relevant stakeholders)
Religious belief	Policy will be applied entirely to all.
Political opinion	
Racial group	

4. Is there evidence to suggest that this policy would promote positive attitudes towards people with a disability?	
If Yes, provide details	If No, provide reasons
	Policy will be applied entirely to all.
5. Is there evidence to suggest that this policy would encourage the participation of people with a disability in public life?	
If Yes, provide details	If No, provide reasons
	Policy will be applied entirely to all.

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

Language is not a protected S75 ground and as such there can be no inference of 'adverse impact' on equality of opportunity.

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

Language is not a protected S75 ground and as such there can be no inference of 'adverse impact' on equality of opportunity.

Part 3. Screening decision

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

The policy applies to all persons fairly and equally during the public consultation process there were no issues identified regarding an equality impact assessment.

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced. Please provide details

As no adverse impact on section 75 categories have been identified there is no prerequisite for mitigation or an alternative policy.

If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

Not applicable in this policy

Part 4: Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or better promote good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or to better promote good relations through tackling prejudice and/ or promoting understanding between the three Section 75 (2) categories, namely persons of different religious belief, political opinion and racial groups?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

The policy fulfils the statutory requirements and applies impartially and consistently to all of section 75 categories. It is screened out for Equality Impact Assessment without mitigation.

Part 5 - Approval and authorisation

Screened by:	Position/Job Title	Date
Danny Meenan	Principal Officer (licensing & SAG)	20 October 2018
Approved by:		
Seamus Donaghy	Head of Service Health & Community Wellbeing	22 October 2018

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on the public authority's website as soon as possible following completion and made available on request.

