

INVERCLYDE LICENSING BOARD
PROGRESS REPORT ON MAINSTREAMING EQUALITIES AND
DELIVERING EQUALITY OUTCOMES
APRIL 2015

INTRODUCTION

- 1.1** Inverclyde Licensing Board, as a public authority is committed to the aims and objectives of the Equality Act 2010. The Board is committed to meeting our responsibilities under the Public Sector Equality Duties to those defined under the Equality Act 2010 in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Board recognises that these responsibilities include access to the Board, the way in which the Board delivers for the Community and of course in its practices and policies. This Board's ultimate aim is to ensure that positive outcomes are achieved for all its citizens.
- 1.2** In terms of the 2010 Act, the Inverclyde Licensing Board is under an obligation to report on the progress it has made since the publication of its Mainstreaming Report in April 2013. This report sets out the changes that have been made to the initial report together with progress that has been achieved over the past two years. It further highlights the focus of the Board for the next two years in its aims to continue to progress its Equality agenda.

BACKGROUND

- 2.1** As set out in the mainstreaming report of April 2013, the Board is constituted in terms of the Licensing (Scotland) Act 2005. The Board is entrusted with the administration of liquor licenses and with certain other statutory duties.

The Board is comprised of 8 elected members of the Council, elected at the first Council meeting after each ordinary Council election. A Licensing Board must consist of at least 4 members.

Board meetings are held in public but deliberations can be made in private. All decisions taken by the Board must be made in public.

All revenue received by the Board from licence application fees must be transferred to the Council. The Council is charged with the responsibility for providing accommodation for the meetings of the Board and all necessary expenses in respect of Board proceedings.

- 2.2** The Board is a quasi-judicial Board, and accordingly does not operate along party political lines, but must instead have regard to the Licensing (Scotland) Act 2005, the licensing objectives contained therein and its own Statement on Licensing Policy.
- 2.3** Following consultation with Equality and Human Rights Commission, the Inverclyde Licensing Board's Mainstreaming Report was amended significantly. The process of amendment and agreement was such that the finalised Mainstreaming Report was only finalised in February 2015.

EQUALITY OUTCOMES AND KEY ACTIONS

3.1 The two agreed equality outcomes of the Board are as follows:

- By developing a healthier attitude to alcohol, social problems experienced by young people are reduced.
- Inverclyde becomes a more inclusive place to live and do business

The first equality outcome is targeted at the protected characteristic of Age, and the second is in respect of disability.

3.2 Since April 2013, the Inverclyde Licensing Board has published its new Statement on Licensing Policy. It was one of the few Boards in Scotland to introduce an area of over provision within its Board's area. This was as a result of consultation with The Inverclyde Licensing Forum, Police Scotland, Inverclyde Alcohol & Drug Partnership, Community Councils and members of the Inverclyde public. It was clear from the evidence produced that alcohol played a large part in many of the social problems faced by some citizens of Inverclyde. According to the Scottish Schools Adolescent Lifestyle and Substance (SALSUS) in 2013, 15 year olds in Inverclyde were 4% more likely to have been drunk more than ten times than the average figures for the rest of Scotland. Protecting children from harm is also a licensing objective enshrined within the Licensing (Scotland) Act 2005.

3.3 The Board consulted with Inverclyde Council on Disability to determine the problems faced by those with disabilities relative to licensed premises. It became apparent that there were limitations in many establishments on gaining access to the property and thereafter to the full use and enjoyment of the facilities. It was clear that disabled toilets

were either in inaccessible positions or indeed in one particular premises were being used as short-term storage facilities. The Board have resolved to increase awareness of these issues and to highlight that affording proper access to the disabled community not only progresses the equality agenda that the Board is committed to, but also increases valuable revenue streams for those businesses that accept and adopt the need for such an agenda. Menus available in braille and in large texts were uncommon, as were menus with pictures of the meals and drinks available.

EQUALITY OUTCOME 1: BY DEVELOPING A HEALTHIER ATTITUDE TO ALCOHOL, SOCIAL PROBLEMS EXPERIENCED BY YOUNG PEOPLE ARE REDUCED.

4.1 Given that the Inverclyde Licensing Board's Mainstreaming Report was only finalised at the beginning of February 2015, evidence of progress is difficult to quantify for the purposes of this Report.

4.2 What have we done?

The Board has consulted extensively with many partner groups and organisations with a view to determining the role alcohol plays in health and crime statistics in the Board's area. This resulted in a change to the Board's Statement on Licensing Policy. For example, the Board no longer allow children to be seated at the bar in any licensed premises. Children must be seated away from the bar at all times. The Board has further strengthened its policy towards young people being on licensed premises after 11pm when attending events that are not family-oriented

such as weddings. This represents a change in decision-making of the Board, given that in the past events such as prize-giving ceremonies for football, swimming and rugby clubs would often see children and young people on premises until midnight. This change was brought about by the evidence obtained by the Board that shows that the more deleterious effects of alcohol are often manifested in licensed premises in the time periods after 11pm.

The Board have further adopted within its policy the following in relation to achieving the licensing objective of protecting children from harm:

The Board wishes to see family friendly premises thriving in the area. Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time recognising that parents and other adults accompanying children also have responsibilities. The Board also takes very seriously the issue of under-age drinking and wishes to remind licence holders that they and their staff must comply with all other legislation in relation to children and young persons including not selling or allowing the sale of alcohol to children and young persons.

The Board recognises that attitudes towards alcohol are often deep-rooted, and that education and time will be required to achieve change. The Board recognises that they have a role to play in changing those attitudes, and the policy changes adopted by the Board are evidence of the road it wishes to travel on changing those attitudes.

4.3 What are we going to do between now and 2017?

Consultation will continue to play a key role in the Board's desire to progress its equality agenda.

The aim is to foster healthier attitudes towards alcohol. A product of such healthier attitudes, the Board believes, will be a reduction in social problems experienced by the young people within its community. The Board recognises the significant role the Inverclyde Council and the Education Authority can play in helping to deliver both the education on alcohol and its impacts and in providing effective measurement of the outcome.

The Board will gather and analyse information on complaints it receives regarding licensed premises to determine how it impacts on the protected characteristic of young people. This will help it to understand the impact its decisions have on this specified group.

The Board will order a survey of young people's attitudes towards alcohol with a view to evidencing attitudinal change over the coming years.

EQUALITY OUTCOME 2: INVERCLYDE IS A MORE INCLUSIVE PLACE TO LIVE AND DO BUSINESS

5.1 This is a new equality outcome agreed upon by the Licensing Board in February 2015. Accordingly, quantifying progress is difficult. However, this outcome was identified and agreed upon following consultation that the Board carried out with a number of partner agencies including Inverclyde Council on Disability. The Board recognised that an ageing population together with an existing thriving disabled community required the Board to recognise its responsibility to the disabled community in its area. The Board recognises that progressing equality

outcomes is a continual effort, and is committed to ensuring that progress be made in the next two years by applying the key actions that it considers appropriate.

5.2 What have we done?

Since April 2013, the Inverclyde Licensing Board has adopted its new Statement on Licensing Policy. Within the policy, the Board has made specific reference to disabled facilities:

Appropriate disabled facilities should be provided on the premises to ensure compliance with the Equality Act 2010 and any subsequent amending legislation relating to disabled persons and disabled facilities.

The Board has undertaken consultation with Inverclyde Council on Disability. From those consultations, the Board has learned that the disabled community regularly face limitations on access to premises. It became further apparent that some licensed premises play “lip-service” to the needs of the disabled community by placing disabled toilets in inaccessible areas of the premises having regard to the placement of tables and chairs. Further, menus are often very difficult to read and there are more often than not no braille versions of menus or pictorial menus that would help members of the disabled community choose meals or drinks freely. The disabled community have advised that a waiter or waitress reading from menus causes embarrassment and is not conducive to an enjoyable experience within licensed premises. The point was made that the disabled community wish to enjoy facilities that the licenced trade offer in Inverclyde, but often feel that they are not made to feel welcome. The fact that they have money to spend and the fact that the Licensing Board has access to the licensed trade, the

request was made for literature and education to be made available to the trade to both promote their business within the disabled community and to ensure that the community are afforded equality of access and use of premises and facilities as the wider community.

5.3 What are we going to do between now and 2017?

The Board recognises the position it holds in drawing attention to the short-comings of licensed premises with regard to disabled access and use of facilities. By drawing attention to the small changes that are required, the Board considers that the equality outcome of making Inverclyde a more inclusive place to live and do business can be achieved. The Board is of the view that there are likely no premises within the Board's area that would discriminate against disabled customers. However, ignorance or lack of thought may have in fact indirectly prevented the disabled community from visiting and enjoying the facilities that the licensed trade work hard to provide. Accordingly, the Board undertake to send a questionnaire to the licensed trade to gather information on the positive steps they have taken to be inclusive of the whole community, provide advice on how they can better provide for the disabled community and thereafter gather more information on what steps were taken, and any differences they believe have occurred.

The Board will continue to consult with groups aligned with the disabled community to ensure the monitoring and evaluation of any progress being made in its aims to achieve equality outcome 2.