

INVERCLYDE LICENSING BOARD PROGRESS REPORT ON MAINSTREAMING EQUALITIES AND DELIVERING EQUALITY OUTCOMES APRIL 2017

1.0 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 its 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 2015. This report sets out the progress that has been achieved over the past two years.

2.0 BACKGROUND

2.1 As set out in the mainstreaming reports of April 2013 and April 2015, the Board is constituted in terms of the Licensing (Scotland) Act 2005. The Board is responsible for the licensing of individuals and premises in terms of the Licensing (Scotland) Act 2005 and the Gambling Act 2003.

The Board is comprised of 8 elected members of the Council, elected at the first Council meeting after each ordinary local authority 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.

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 and the provision of staff to undertake work on behalf of the Board.

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.

3.0 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) findings in 2013, 15 year olds in Inverclyde were 4% more likely to have been drunk on more than ten occasions compared with 15 year olds in 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 at times either in inaccessible positions or indeed in one particular establishment were being used as short-term storage facilities. The Board 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.

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

4.1 What have we done?

As narrated in our last report, 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 harmful effects of alcohol are often manifested in licensed premises in the time period after 11pm.

The Board has 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 it has 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 in changing those attitudes.

4.2 Space Unlimited Project

As stated in our last mainstreaming report, the Education Authority has a significant role to play in helping to deliver both education on alcohol and its impacts on health, criminality and social issues. Pupils from Port Glasgow High School were involved in a project supported by “Space Unlimited” and funded by the Scottish Whisky Foundation and the Robertson Trust.

The project was framed around development of the question: *“How can young people play an active role in reducing alcohol-related harm in Port Glasgow?”*

The pupils spent time developing their group work skills, exploring what provisions already existed to combat alcohol related harm in their school and local community, and developed some of their own insights and ideas. The pupils then involved a further 80 pupils from S1 and S2 and presented their ideas and thinking at a collaborative event for educators, parents, local service providers and other community stakeholders.

The key insights from the project are:

- There is need to improve the accessibility of alcohol support services to young people in Port Glasgow, especially via improved use of the internet and social media

- There exists a lack of services where young people are closely involved in the design and operation of services targeted at young people
- The “community dialogue” and “health and wellbeing” events highlighted an awareness of the need to improve partnership working, not just between services, but with schools and more directly with young people
- There is a real willingness in the local community to listen to the feedback and ideas of the young people and commit to improving services with and for them

The first stage of the project is now complete and exploration for possible sources of funding for a second (implementation) phase is underway.

4.3 Inverclyde Child and Youth Health and Wellbeing Survey

In the Board’s last mainstreaming report, the intention to survey young people in relation to alcohol and its impact on individuals and the wider community was intimated. However, it was discovered that the Council had worked in partnership to survey secondary school pupils on “Health and Wellbeing” with 83% of those surveyed returning their questionnaires. Questions relating to alcohol featured within this study.

More than half (56%) of pupils said that they never drank alcohol. Unsurprisingly, lower school pupils were more likely to say they had never drank alcohol (81%) which reduced to 49% for middle school and 29% for upper school.

Of those who said they had drank alcohol, three in five (59%) said they never/rarely got drunk, 23% said they got drunk once or twice a month and 18% advised they got drunk once a week or more.

When asked where they sourced their alcohol, the most common response was “I don’t buy alcohol” at 38%. For those that did access alcohol, getting friends to buy it (30%) was the highest result. This was followed by family, then strangers (14%).

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

5.1 Progress to date

This equality outcome was agreed by the Licensing Board in February 2015 but delivery has been difficult. Inverclyde Licensing Board is serviced by one full time member of staff and has no other resources to draw on. Accordingly, progress has been slow. However, the Board had committed to raise awareness amongst the licensed trade to a number of issues relating to customers living with disability. The Board wrote to all premises licence holders within Inverclyde raising awareness of issues that previous consultations with Inverclyde Council on Disability had raised.

As reported in the last mainstreaming report; since April 2013, the Inverclyde Licensing Board has adopted the following Statement within its Licensing Policy Statement:

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 Licensing Board has no jurisdiction to enforce licensees to comply with anything dictated by the Licensing (Scotland) Act 2005 relative to licensed premises and therefore the letter makes suggestions on how service delivery for the disabled community could be improved and highlights that such improvements could result in an increase in business. The licensed trade were advised of the following issues:

- Some licensed premises play “lip-service” to the needs of the disabled community by placing disabled toilets in inaccessible areas of the premises and tables and chair often block routes which makes them impossible for wheelchair users to negotiate.
- Menus can often be difficult to read for customers with sight or literacy problems – availability of braille versions menus or pictorial menus would help members of the disabled community or those with additional learning needs to choose meals or drinks freely. Discussion with Inverclyde Council on Disability suggest that the disabled community are embarrassed to ask a waiter or waitress to read the

menus and this is not conducive to an enjoyable experience within licensed premises.

- The wider point was made that the disabled community wish to enjoy facilities that the licensed trade offers in Inverclyde, but often feel that they are not made to feel welcome. They have money to spend and the fact that the Licensing Board has access to the licensed trade was seen as an opportunity to pass on their views.
- There was a request 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.

The Board has recognised and acted upon the position it holds in drawing attention to the shortcomings 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 it has made a contribution to the equality outcome of making Inverclyde a more inclusive place to live and do business.

The Board is of the view that there are likely no premises within the Board's area that would directly discriminate against disabled customers. However, ignorance or lack of thought may have in fact led to indirect discrimination and prevented the disabled community from visiting and enjoying the facilities that the licensed trade works hard to provide.

The Board will continue to consult with groups aligned with the disabled community to monitor and evaluate the progress being made in its aims to achieve equality outcome 2.

6.0 FUTURE EQUALITY OUTCOMES

The Licensing Board, in common with the Inverclyde Council, is now under the obligation to consider equality outcomes for 2017-21. Due to the difficulty in delivering the previously agreed outcomes, and after looking at how other Licensing Boards and local authorities work jointly on equalities, the Board will meet its commitments to equality through endorsement of the Council's equality outcomes and will feed into their delivery and reporting mechanisms.