

APPENDIX 1

RENFREWSHIRE LICENSING BOARD'S PROGRESS REPORT ON MAINSTREAMING EQUALITIES AND DELIVERING EQUALITY OUTCOMES - APRIL 2015

1. INTRODUCTION

- 1.1. Renfrewshire Licensing Board as a Public Authority is committed to ensuring equality in its policies and practices in order to improve outcomes for its citizens. This progress report provides a single report to provide an update on our progress, and meet our duties to report this progress, publicly and in an accessible manner. The report provides information on the actions agreed to deliver each of our equality outcomes, along with information on what activities have been delivered in the reporting period from 2013-2015, following publication in 2013 of the Board's first mainstreaming report and equality outcomes. The report also details the areas of focus for the next reporting period from April 2015 to April 2017. Equality outcomes are results intended to achieve specific and identifiable improvements in people's life chances.

2. BACKGROUND

- 2.1. As set out in the Licensing Board's first progress report, published in April 2013, although it has a separate legal status from Renfrewshire Council, members of the Licensing Board are Renfrewshire Councillors appointed to the Board by the Council. Renfrewshire Council's progress report on mainstreaming equality and equality outcomes was approved by the Leadership Board on 1st April 2015.
- 2.2. The legal and administrative support to the Board is provided by employees of Renfrewshire Council. None of the Renfrewshire Council employees who support the Licensing Board do so exclusively. The Board meets in Renfrewshire Council's Headquarters and uses its facilities and services. Therefore, the action in the Council's progress report detailed above, in so far as relevant to Council employees and access to Council services, applies equally in relation to the Licensing Board. This also applies in relation to the Board's specific duty to gather information on recruitment, development, retention, and number, of employees. The composition of the Council's workforce, including those staff who serve the Licensing Board, relevant to recruitment, development and retention as against the protected characteristics will be available on the Council's website. The close connection between the Board and the Council affords the opportunity for the Board to benefit directly from the actions already taken or proposed by the Council to ensure that the Board fulfils its legislative equality obligations. The Board in doing so creates a culture which fosters good relations and values diversity, promotes equality and tackles discrimination.
- 2.3. The detailed information in this report illustrates a range of activities and actions that have been undertaken by Renfrewshire Licensing Board to mainstream equalities.

2.4. The General Equality Duty requires listed public authorities to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not, and
- Foster good relations between people who share a protected characteristic and those who do not.

In addition to the General Equality Duty, there are also Specific Duties which are designed to help public authorities meet the requirement for the General Duty. These specific duties include duties to publish a report on progress in relation to both mainstreaming the General Equality Duty and the equality outcomes agreed by the Board in April 2013. The Specific Duties also include duties to publish gender pay gap information and statements on equal pay, but the Licensing Board does not have employees of its own, as detailed at Paragraph 2.2, above.

2.5. Renfrewshire Licensing Board is fully committed to ensuring that equality is at the heart of everything. This includes actively embedding equality across all the Board's functions and decision making processes related to the regulation of the sale of liquor and gambling/ gaming activities. The Board seeks to ensure that equality becomes part of its structure, behaviour and culture.

2.6. As set out in the Licensing Board's current Statement of Licensing Policy, which was agreed in 2013, the Board is committed to actively embedding equality across all its functions. This Statement of Licensing Policy provides that:-

"29.1 The Board values and celebrates the diversity that exists within Renfrewshire and wants to ensure that everyone can fully participate in the social, cultural, political and economic life of Renfrewshire.

29.2 The Board opposes all forms of unlawful discrimination including discrimination on the grounds of race, ethnicity, gender, sexual orientation, age, religion and disability and recognises that discrimination creates barriers to achieving equality for all people."

3. EQUALITY OUTCOMES AND KEY ACTIONS

3.1. The information in this section is structured in line with the Board's four agreed equality outcomes. It contains updates on progress against the actions identified to achieve our outcomes as well as information on our areas of focus for the next reporting period.

3.2. Equality Outcome 1: Service Users across the equality group are positive and engaged with the Licensing services

3.2.1. Key Actions:

Licensing staff have issued new premises licence holders with a questionnaire in order to seek equalities monitoring information. Thirteen questionnaires have been issued. For those applying for new premises licences, a similar questionnaire form is available online which can be printed and submitted with a premises licence application.

3.2.2. Equality has been integrated into the Board's Statement of Licensing Policy. However, an extensive consultation in relation to overprovision of licensed premises also recently took place as agreed by the Board when agreeing the Statement. During this consultation, which ran from November 2014 to January 2015 (the responses to which will be reported to the Board shortly), a number of groups representing people with protected characteristics were contacted, along with numerous other stakeholders. These groups included:

- Association of African Communities in Renfrewshire
- Capability Scotland
- Disability Resource Centre
- Engage Renfrewshire
- Gender Based Violence
- Paisley YMCA
- Renfrewshire Access Panel
- Renfrewshire Child Protection Committee
- Renfrewshire Polish Association
- Soroptomist International-Paisley
- West of Scotland Race Equality Council
- You first Advocacy

3.2.3 The Board's Statement of Licensing Policy for liquor licensing and its Gambling Statement of Principles, its application forms and information on licensing all continue to be published on the Renfrewshire Council website which meets accessibility standards.

3.2.4 What's gone well? The above steps improve the Board's previous equality monitoring and extend the consultation process to those stakeholders with a particular interest in ensuring that the Board's general equality duty is met.

3.2.5 Our focus until 2017 will be to continue to seek equality monitoring information and integrate equality into new policy consultations. In 2015, further consultation will be carried out with a view to agreeing a new Statement of Principles under the Gambling Act 2005, which requires to be published in January 2016, and the Board will have to consider further whether there is overprovision of liquor licensed premises. However, the level of response to both the recent consultation and to requests for equality

monitoring information has to date been disappointing, particularly with only one response to the equality monitoring questionnaires sent. It is hoped that further engagement will encourage improved responses between 2015 and 2017.

3.3. Equality Outcome 2: There are no barriers to protected groups being able to access licensed premises

3.3.1 Key Actions: Both the Board and officers dealing with liquor licensing have, since the date of the previous progress report, visited a number of premises either seeking a premises licence or, in the case of officers, confirmation of a provisional premises licence. The Board have visited three premises prior to making decisions on licensing applications. The Depute Clerk, together with a Licensing Standards Officer and/or an officer from the Licensing section has carried out visits to all premises with provisional premises licences (16 in number) prior to confirmation of their licences. At these visits, consideration has been given as to whether premises are accessible to those who may have disabilities, as well as whether premises are suitable for the sale of alcohol within the meaning of the 2005 Act, for all persons including those with protected characteristics.

3.3.2 What's gone well? These visits have identified that new licensed premises in Renfrewshire are accessible to people with a disability.

3.3.3 Our focus until 2017 will be to continue to have regard to the suitability of premises, both in relation to accessibility and for the sale of alcohol in terms of the 2005 Act.

3.4 Equality Outcome 3: People with protected characteristics feel safe, confident and supported

3.4.1 Key Actions: The Board has continued to maintain and strengthen existing partnerships to achieve the mainstreaming of equality. The Board's current Statement of Licensing Policy, agreed in November 2013, in seeking to promote the licensing objectives and provide information on them, recognises the relevance of "customer profile" (e.g. age, disability, etc) in the context of securing public safety.

3.4.2 There have also been a number of activities undertaken to promote the safety of the public, including people from groups with protected characteristics, who use licensed premises. These activities include a seminar for the licensed trade organised by Police Scotland, to which contributions were made by the Convener of the Licensing Board and the Licensing Standards Officers. Information at the event was given to support the safety of the public in licensed premises generally, as well as information on specific issues including the prevention of sexual violence. Further partnership working was undertaken by a Licensing Standards Officer with Police Scotland at an event organised by Renfrewshire Council's Community Resources, which covered issues such as disability hate crime and domestic abuse. In the context of this event, the Licensing Standards Officer provided advice for members of the

public leaving licensed premises and finding suitable transport home. These safety messages have been underpinned in similar, but festive, safety messages released at the end of both 2013 and 2014.

3.4.3 In relation to the safety of all persons using liquor licensed premises, including those with a protected characteristic, the Board has conducted numerous review hearings under Section 38 of the Licensing (Scotland) Act 2005 following upon concerns being raised as to the operation of licensed premises.

3.4.4 **What's gone well?** The period since April 2013 has raised a number of opportunities to work in partnership to ensure that people with a protected characteristic feel safe, confident and supported. In order to foster good relations, strengthen community cohesion and minimise the negative impact of anti social behaviour, the Board has, as a result of review hearings since 1st May 2013, issued 21 written warnings, varied (changed the conditions of) 10 premises licences, suspended five premises licences and revoked three premises licences. A number of these reviews related to anti social behaviour on licensed premises or in the proximity of licensed premises and noise nuisance. The Board will consider a review application from any person provided that the application is not frivolous or vexatious and provided also that it sets out a relevant ground for review. The Board, and officers engaged in Licensing, also continue to have regular contact with the Local Licensing Forum, including an annual meeting between the Board and Forum, while the Licensing Standards Officer regularly attends the Licensing Forum as a member and the Depute Clerk to the Board attends on an ad hoc basis. The actions taken by and on behalf of the Licensing Board contribute to improving community safety and public protection. The Renfrewshire Community Plan update indicates that 73% of residents stated they feel 'very safe' or 'fairly safe' when at home alone at night and when walking alone in the neighbourhood after dark.

3.4.5 **Our focus until 2017 will be** to continue to identify opportunities to work with other partners including Police Scotland to promote equality and foster good relations between those who share a protected characteristic and those who do not.

3.5 **Equality Outcome 4: Staff within the Licensing section are skilled, flexible and confident when engaging with the diverse communities and people with protected characteristics**

3.5.1 **Key Actions:** The Board agreed and published its Statement of Licensing Policy for 2013-2016 in November 2013. Within the terms of the Statement of Licensing Policy on the Board's web pages, in addition to the inclusion of the information at Paragraph 2.6 above, links are provided both to the legislation covering the Specific Duties owed by the Board and to the Board's most recent Progress Report on Mainstreaming Equality and agreed Equality Outcomes. This enables both licensing staff and members of the public with an interest in the liquor licensing process to easily access this information.

- 3.5.2 The Board also, in its Statement of Licensing Policy, continues to provide that only those applications which must be considered by the Licensing Board will require a hearing before the Board. Otherwise, applications are generally dealt with by officers under delegated powers. This arrangement allows flexibility in dealing with applications to the Board and facilitates accessibility to the licensing system, particularly for those who may have difficulty attending a meeting of the Board. Where hearings require to take place, the Board will attempt to make the experience as informal as possible, consistent with the carrying out of the Boards quasi judicial function.
- 3.5.3 All licensing staff, including licensing officers and Licensing Standards Officers, have also completed iLearn training on equality to develop their capacity to engage with the diverse communities and those with protected characteristics. All licensing staff continue to have access to the Council's intranet site RENFO which provides information and guidance on equality to increase awareness. Employees can also access guidance on the Council's HR policies relevant to equality. A briefing was given to elected members of the Council in January 2014 by the Scottish Human Rights Commission, when several members of the Licensing Board attended.
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- 3.5.4 **What's gone well?** All 12 licensing staff have undertaken training on equalities and new staff are also required to undertake similar training.
- 3.5.5 **Our focus until 2017 will be to** continue to identify learning and development packages to improve and embed equality and human rights impact assessments in practice, decision making and evaluation. The Board will also continue to support the evolving equality agenda.

Renfrewshire Licensing Board's Equality Outcomes 2013/2017

	Equality Outcome	Actions Activities	General Equality Duty
1	Service users across the equality group are positive and engaged with the Licensing services	Service provision will take account of the spread of equality groups by integrating equality monitoring questionnaire in the application process and consulting groups representative of people with protected characteristics in the policy process.	Advance equality of opportunity
2	There are no barriers to protected groups being able to access licensed premises	The Board will promote greater accessibility to all licensed premises in Renfrewshire through increased awareness during Board visits, visits by Licensing Standards officers or other Board Officials.	Advance equality of opportunity
3	People with protected characteristics feel safe, confident and supported	The Board will work in partnership with the Police, community and voluntary agencies to increase public confidence of reporting and addressing negative impact on arising from underage drinking, antisocial behaviour and nuisance.	Fostering Good Relations
4.	Staff within the Licensing section are skilled, flexible and confident when engaging with the diverse communities and people with protected characteristics.	Develop the capacity of licensing staff in line with the evolving equality and human rights legislative requirements	Advance equality of opportunity