

# **MEETING OF RENFREWSHIRE LICENSING BOARD**

**MONDAY 4 MARCH 2019**

**HELD IN THE COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR, RENFREWSHIRE HOUSE, COTTON  
STREET, PAISLEY  
AT 10.00AM**

## **AGENDA**

**Councillors Andy Steel, Bill Brown, Jane Strang, Jennifer Adam-McGregor, John Hood, Kevin Montgomery , Marie  
McGurk, Michelle Campbell, Natalie Don and Scott Kerr**

**Convener – Cllr Andy Steel**

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
- 3. LICENSING (SCOTLAND) ACT 2005**

<b>Page 1</b>	<b>Applications for Major Variation of Premises Licences to be considered</b>
<b>Page 2</b>	<b>Applications for Personal Licences to be considered</b>
<b>Pages 3-4</b>	<b>Premises Licence Review Hearings</b>
<b>Page 5</b>	<b>Personal Licence Review Hearing</b>
<b>Page 6</b>	<b>Applications for Minor Variation - DPM - delegated for noting</b>
<b>Page 7</b>	<b>Applications for Minor Variation - delegated for noting</b>
<b>Page 8</b>	<b>Applications for Transfer of Premises Licence – delegated for noting</b>
<b>Page 9</b>	<b>Applications for Confirmation of Premises Licence – delegated for noting</b>
<b>Pages 10-12</b>	<b>Applications for Personal Licences – delegated for noting</b>

#### **4. ADMINISTRATIVE ITEMS**

- a) Report by Clerk to the Licensing Board – Renewal of Personal Licences**
- b) Report by Clerk to the Licensing Board – Equality Outcomes and Mainstreaming Progress Report**
- c) Report by Clerk to the Licensing Board – Delegated list of revocation of personal licences (for members information)**
- d) Minute of Previous meeting on 25 January 2019 to be agreed**

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Variation (Major)(s) - cited**

<b>Premises</b>		<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	KEYSTONE 1 HOUSTOUN SQUARE JOHNSTONE PA5 8DT	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP LLP ST MICHAEL'S COURT ST MICHAEL'S LANE DERBY	6 November 2018	

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence(s) - cited**

<b>Applicant</b>		<b>Date Received</b>	<b>Comments</b>
1	AMNA AYESHA AMIN	10 January 2019	
2	CAROLINE HEPBURN	11 January 2019	
3	LOUISE CAMPBELL WILLIS	17 January 2019	

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Premises Licence Review(s) cont'd from last Board**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	THE CELLAR BAR 28-30 LADY LANE PAISLEY PA1 2LG	MR MARTIN BRIER/COLIN DICKSON	4 January 2019	Licence surrendered
2	THE CLUB 38-40 NEW SNEDDON STREET PAISLEY PA3 2AZ	MR MARTIN BRIER/COLIN DICKSON	4 January 2019	
3	THE WEE BARREL 24 LOVE STREET PAISLEY PA3 2DY	MR MARTIN BRIER/COLIN DICKSON	4 January 2019	

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley , PA1 1TT****Licensing (Scotland) Act 2005****Premises Licence Review(s)**

<b>Premises</b>		<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
4	REAL ALE WAREHOUSE 39A MACDOWALL STREET PAISLEY PA3 2NB	MR MARTIN BRIER/COLIN DICKSON	4 January 2019	Licence Surrendered

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence Review(s) Hearing**

	<b>Licence Holder</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	KIMBERLY CARRUTHERS	POLICE SCOTLAND	28 January 2019	

## RENFREWSHIRE LICENSING BOARD

**Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT**

### Licensing (Scotland) Act 2005

**Variation (Minor)(s) DPM - delegated for noting**

	Premises	Applicant	Date Received	Comments
1	BEST ONE 32 ST JAMES STREET PAISLEY PA3 2JR	IFTIKHAR AHMED C/O GNE CONSULTANCY LIMITED 47 WALLACE BRAE DRIVE REDDINGMUIRHEAD FALKIRK FK2 0FB	18 January 2019	
2	COSMOPOLITAN 7 NEW STREET PAISLEY PA1 1XU	HAWTHORN LEISURE SCOTCO LIMITED C/O TLT LLP DX GW138 GLASGOW	21 January 2019	
3	FACTION 13 SHUTTLE STREET PAISLEY PA1 1YD	UNIVERSAL BARS LIMITED	17 January 2019	

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Variation (Minor)(s) - delegated for noting**

<b>Premises</b>		<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	FACTION 13 SHUTTLE STREET PAISLEY PA1 1YD	UNIVERSAL BARS LIMITED C/O TLT LLP DX GW138 GLASGOW	14 January 2019	
2	MORRISONS ANCHOR MILL PAISLEY PA1 1GZ	WM MORRISON SUPERMARKETS PLC C/O GOSSCHALKS SOLICITORS QUEENS GARDENS DX 11902 HULL	16 January 2019	



**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Transfer(s)- delegated for noting**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received      Comments</b>
1	THE BISHOPTON INN OLD GREENOCK ROAD BISHOPTON RENFREWSHIRE PA7 5JN	MILTON PROTFOLIO OP CO 2 LIMITED C/O	23 November 2018

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Confirmation(s) - delegated for noting**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	ALDI STORES LIMITED PATON MILL JOHNSTONE PA5 8SS	ALDI STORES LIMITED C/O TLT LLP DX GW138 GLASGOW	22 January 2019	

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence(s) - delegated for noting**

<b>Applicant</b>		<b>Date Received</b>	<b>Comments</b>
1	AMANDA MCBRIDE	11 October 2018	
2	RYAN ANDREW GRANT WOOD	11 October 2018	
3	JORDAN ANNAN	11 October 2018	
4	MATTHEW SEAN BOYD	3 December 2018	
5	JOANNE EILEEN LAURIE	10 December 2018	
6	NATASHA JANE BROADWAY	19 December 2018	

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence(s) Renewal - delegated for noting**

<b>Applicant</b>		<b>Date Received</b>	<b>Comments</b>
1	MARTIN CHALMERS C/O WM MORRISON SUPERMARKETS PLC KELLY NICOLS (LICENSING MANAGER) HILMORE HOUSE	19 November 2018	
2	CAROL MARGARET PROCTOR	23 November 2018	
3	MOIRA CHARLOTTE FAULDS	29 November 2018	
4	CHERIE LOUISE STACHURA	4 December 2018	
5	SCOTT MILLAR	4 December 2018	
6	JOHN MCINTOSH	4 December 2018	
7	FRANCK LAMY	10 December 2018	

**RENFREWSHIRE LICENSING BOARD****Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley, PA1 1TT****Licensing (Scotland) Act 2005****Personal Licence(s) Renewal - delegating for noting**

	<b>Applicant</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
8	DOREEN STOBO		19 December 2018	
9	ANTONY LAWRENCE JAMES		10 December 2018	

## **RENFREWSHIRE LICENSING BOARD**

**Meeting 4 March 2019 at 10:00am in Council Chambers, Renfrewshire House, Cotton Street, Paisley PA1 1TT**

- 1. Report by Clerk to the Licensing Board - Renewal of Personal Licences**
- 2. Report by Clerk to the Licensing Board - Equality Outcomes and Mainstreaming Progress Report**
- 3. Report by Clerk to the Licensing Board - Delegated list of revocation of personal licences (for members information)**

**To: Renfrewshire Licensing Board**

**On: 4<sup>th</sup> March 2019**

**Report by Clerk to the Licensing Board**

**Renewal of Personal Licences**

**1. Introduction**

- 1.1 The purpose of this report is to provide information to the Board in relation to renewal of those personal licences which were granted after the passage of the Licensing (Scotland) Act 2005 and came into effect on 1<sup>st</sup> September 2009.

**2 Background**

- 2.1 Personal licences issued under the terms of the Licensing (Scotland) Act 2005 ("the 2005 Act") have effect for a period of ten years and can be renewed for further periods of ten years. Those personal licences which were first granted under the 2005 Act came into effect on 1<sup>st</sup> September 2009 and expire, unless renewed, on 31<sup>st</sup> August 2019.
- 2.2 The 2005 Act provides that holders of personal licences require to apply for renewal of their licence three months before it is due to expire. This means that applications for renewal in respect of those licences initially issued under the 2005 Act must be made by 31<sup>st</sup> May 2018. Where the application is not made by that date, there is no discretion to the Board to consider a late renewal application and the licence will expire on 31<sup>st</sup> August 2019.
- 2.3 Renewal applications require to be accompanied by a licensing qualification accredited by Scottish Government. The Scottish Government have recently extended the list of accredited qualifications which can accompany a renewal application. As a result, personal licence holders can now proceed with their renewal applications accompanied by any one of these accredited qualifications, which includes the qualification they held when they applied for their personal licence.
- 2.4 There is a separate requirement upon personal licence holders to produce evidence of refresher training being carried out within each five year period of their personal licence. In respect of those personal licences which have an expiry date of 31<sup>st</sup> August 2019, evidence of refresher training is due to be produced to the Board this year. The refresher training, in respect of those licences, can be completed at any point between September 2014 and 31<sup>st</sup> August 2019, with the evidence of the training being produced to the Board by 30<sup>th</sup> November 2019. Where these requirements are not complied with, the Board is required in terms of the 2005 Act to revoke the personal licence.

- 2.5 The Scottish Government issued a communications document in 2018, in which they recommend to personal licence holders that they obtain their refresher training certificate and apply for renewal of their licence along with this qualification, to allow the renewal and refresher requirements to be complied with at the same time. However, a personal licence holder is not required to do this. They may lodge their renewal applications along with any of the accredited qualifications listed by the Scottish Government and, separately, submit their evidence of refresher training being completed once they have done so.

### **3. Progress**

- 3.1 The Board issued 413 personal licences which came into effect on 1<sup>st</sup> September 2009 and remain in effect. These licences will expire on 31<sup>st</sup> August 2019 unless the renewal requirements are met. Holders of these licences also require to comply with the refresher training requirements set out above.
- 3.2 Licences issued subsequently will require to meet similar requirements on a rolling basis.
- 3.3 The Board sent reminders to all personal licence holders in November 2018 in relation to the renewal requirement, as required by the 2005 Act. Despite this, only a few applications for renewal were received and officers therefore sent a further reminder letter to all personal licence holders in February 2019. The Licensing Standards Officers also highlight the above requirements at visits to licensed premises. Further, it is understood that Paisley First have assisted premises within the Business Improvement District in relation to their refresher training.
- 3.4 As at 18<sup>th</sup> February 2019, 37 applications for renewal of these licences have been received. It is understood that the number of renewal applications made to Licensing Boards throughout Scotland is similarly low. In Renfrewshire, 14 of these applications have been approved as at the same date.
- 3.5 It is not possible for officers to state how many people require to apply to renew their personal licences by 31<sup>st</sup> May 2019. It may be that a number of the licence holders referred to at Paragraph 3.1 above are no longer working in the licensed trade and will not wish to renew their licence. However, where people do require to renew and fail to apply timeously, this will result in them losing their personal licence. In the event that such a licence holder is also a designated premises manager for licensed premises, this will result in premises being unable to sell alcohol under their licence until they can find a new personal licence holder willing to undertake that role.

### **4. Further Information**


- 4.1 Officers intend to write to premises licence holders in early March 2019 highlighting the above requirements upon personal licence holders and the importance of compliance with the requirements for their businesses.



- 4.2 Officers will require to write to personal licence holders in relation to the refresher training requirements before the end of May 2019, in accordance with the 2005 Act. The letter issued to personal licence holders in November 2018 in relation to renewal provided a link to the Scottish Government's communications document. This document referred also to the refresher training requirement and suggested that licence holders obtain their refresher training to allow the two requirements to be combined administratively by Licensing Boards. It is likely that there will be considerable demand for these courses as the above deadlines are approaching. There is therefore a risk, if personal licence holders do not arrange their refresher training course at an early date, that they may be unable to meet the refresher requirement timeously.
- 4.3 Where any adverse comments are received from Police Scotland in relation to a personal licence renewal application, the renewal application will require to be considered by the Licensing Board. The Board currently has one meeting, Monday 17<sup>th</sup> June 2019, scheduled between 31<sup>st</sup> May 2019 and the expiry of the licences detailed above (on 31<sup>st</sup> August). As a licence will expire where an application for renewal cannot be determined prior to the expiry date, it may be that the Board will wish to consider holding additional meetings should there be renewal applications which cannot be considered at the Board's meeting on 17<sup>th</sup> June 2019.

## **5. Recommendations**

- 4.1 The Board is requested to note the contents of the report.

  
.....  
Kenneth A. Graham  
Clerk to the Licensing Board

**To: Renfrewshire Licensing Board**

**On: 4<sup>th</sup> March 2019**

**Report by Clerk to the Licensing Board**

**Equality Outcomes and Mainstreaming Progress Report**

**1. Introduction**

- 1.1 Renfrewshire Licensing Board has a statutory duty to report on progress in achieving its agreed set of equality outcomes and mainstreaming the general equality duty, by 30<sup>th</sup> April 2019. The report attached at Appendix 1 includes a report on progress in respect of both these matters.

**2 Background**

- 2.1 The Board has a General Equality Duty, which requires it to pay due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations as set out in section 149(1) of the Equality Act 2010. There are a number of specific duties laid out for public authorities in regulations made under the Act to support the General Equality Duty. These include the duties set out above, at Paragraph 1.1.
- 2.2 In terms of these specific duties, the Board is required to report its progress on mainstreaming equality and on its equality outcomes by 30<sup>th</sup> April 2019, as well as to publish gender pay gap information. The Board does not, however, employ staff in its own right, as all staff who provide support to the Licensing Board are employed by Renfrewshire Council. The Licensing Board previously approved three equality outcomes at its meeting on 12<sup>th</sup> April 2017, as detailed at Paragraph 2.4 below.
- 2.3 The Progress Report at Appendix 1 provides a single report to provide an update on the Board's progress. The Board is asked to agree to publication of this report to meet its duties to report on progress publicly and in an accessible manner. The report provides information, at Paragraphs 3 to 10, as to what action has been taken to mainstream the Board's general equality duty in the reporting period from 2017-2019. The report also details progress in meeting the Board's equality outcomes, which were published in April 2017.
- 2.4 The Board's existing equality outcomes are as follows:
- i) Service users across the equality groups are positive and engaged with the Licensing services;
  - ii) The Licensing Board's staff are skilled, flexible and confident when engaging with the diverse communities and people with protected characteristics;


- iii) The Board works with partners to improve access to licensed premises by people with protected characteristics.

2.5 The report details the Board's progress on equalities across the Board's licensing functions. Key highlights of this progress are:

- Widespread consultation on policy reviews to include representatives of those with protected characteristics
- Improved public engagement on Statement of Licensing Policy review
- Changes to Statement of Licensing Policy to protect children and young people and to provide assistance to the public generally on the licensing process
- Updated local profile for gambling policy in relation to children and vulnerable people
- Procedures and decisions before the Board relevant to equality issues
- Introduction of Disabled Access and Facilities Statements
- Enhanced Partnership Working
- Improved Equality Monitoring of Licence Holders

### **3. Recommendations**

- 3.1 The Board is requested to note the progress documented within the attached report at Appendix 1 and agree publication.

  
.....  
Kenneth A. Graham  
Clerk to the Licensing Board

## APPENDIX 1

If you wish to have any of this information reproduced in another format or language, please contact:

Name: Douglas Campbell

Email: [douglas.campbell@renfrewshire.gov.uk](mailto:douglas.campbell@renfrewshire.gov.uk)

Telephone: 0141-618-7172

Address: First Floor, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

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قيسنتب تامولعملا هذه نم عزج بلع لوصحلا يف بغرت تنك اذا هالعا ةروكذملا لاصتالا تانايب مادختسا بجري ،برخا ةغل وأ رخا

# **RENFREWSHIRE LICENSING BOARD'S PROGRESS REPORT ON MAINSTREAMING EQUALITIES AND DELIVERING EQUALITIES OUTCOMES FOR THE PERIOD 2017-2019**

## **1. INTRODUCTION**

- 1.1 Renfrewshire Licensing Board ("the Board"), as a listed Public Authority, is required to report progress made in mainstreaming the equality duty and in achieving its equality outcomes which were last published in 2017.
- 1.2 This report provides information on the actions agreed to deliver these equality outcomes, along with information on progress the Board has made to make its general equality duty integral to the exercise of its functions. Equality outcomes are defined as results intended to achieve, through the exercise of the authority's functions, one or more of the needs of the general equality duty.
- 1.3 This report also provides other information that the Board is required to publish by 30th April 2019.
- 1.4 The report meets our duties to report the above information, publicly and in an accessible manner. The report, and other Board policies, are available on the Board's web pages and can be reproduced in another format on request.

## **2. OUR DUTIES**

- 2.1 The Board is fully committed to embedding equality into all our functions. The Equality Act 2010 ("the 2010 Act") protects people from unfair treatment and asks public bodies like the Board to show how they make a positive difference to different groups of people. The 2010 Act brings together forty years of equality legislation and covers "protected characteristics", which include:
  - Age
  - Disability
  - Gender reassignment
  - Pregnancy and maternity
  - Race
  - Religion and belief
  - Sex
  - Sexual orientation
  - Marriage/ civil partnership
- 2.2 We usually refer to people covered by the protected characteristics as "equality groups". The 2010 Act requires that listed public authorities, such as the Board, take account of the need to:

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

In respect of marriage/ civil partnership, only the first of these three duties applies.

- 2.3 The Act also requires the Board to publish a set of equality outcomes every four years. We last did this in 2017.

### **3. THE BOARD**

- 3.1 Although the Board has a separate legal status from Renfrewshire Council, members of the Licensing Board are Renfrewshire Councillors appointed to the Board by Renfrewshire Council. Renfrewshire Council's progress report on mainstreaming equality and equality outcomes will be available on the Council's website on 30<sup>th</sup> April 2019.
- 3.2 The Board currently consists of ten Renfrewshire Councillors, who were elected to serve on the Board by the Council at its first statutory meeting following the local government election in May 2017. Five of these Councillors are men and five are women.
- 3.3 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.
- 3.4 Therefore, the action and information which will be set out in the Council's progress report detailed above once published, in so far as relevant to Council employees and access to Council services, applies equally in relation to the Licensing Board. The close connection between the Board and the Council affords the opportunity to benefit directly from the actions already taken or proposed by the Council to ensure that the Council and Board fulfil their legislative equality obligations by creating a culture which fosters good relations and values diversity, promotes equality and tackles discrimination.
- 3.5 The detailed information at Paragraphs 3 to 10 of this report illustrates a range of activities and actions that have been undertaken by Renfrewshire Licensing Board to mainstream equalities. Paragraph 11 of this report provides further information in relation to the progress made to date by the Board in meeting the equality outcomes previously agreed, for the period 2017 to 2021. The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, as amended, which legally require this information to be published, also require the Board, as a listed authority, to gather and use employee information, to publish gender pay gap information and to publish statements on equal pay. However, as stated at Paragraph 3.3 above, the Board does not

employ any officers of its own. Any officers who assist the Board are employees of Renfrewshire Council, which requires to publish this information in relation to all employees under these Regulations.

#### **4. GOVERNANCE, ACCOUNTABILITY AND POLICY**

4.1 Renfrewshire Licensing Board is fully committed to actively embedding equality across all its functions and decision making processes, ensuring equality becomes part of the structure, behaviour and culture of the Board. The Board ensures that all customers and partners are treated fairly and with respect at all times. The Board published its last report on mainstreaming equalities in April 2017 and also published a new set of equality outcomes at that time.

4.2 The Board is achieving its commitment to equality with clear governance and accountability arrangements as follows:

4.2.1 The Licensing Board is constituted in terms of the Licensing (Scotland) Act 2005 ("the Act"). The Board is entrusted with the administration of liquor licensing. It is also responsible for the licensing of gambling premises and other gaming activities in Scotland in terms of the Gambling Act 2005.

4.2.2 The Board's meetings are held in public, but deliberations can be in private. All decisions taken by the Board must be made in public and the Minutes containing these decisions, once approved, are published on the Board's web pages, ensuring that these are accessible to people, including those with protected characteristics.

4.2.3 The Board is required in terms of Section 6 of the Act to prepare and publish a Statement of Licensing Policy with respect to the exercise of their functions under the Act. In preparing such a statement, or supplementary statement, the Board must ensure that:

- (i) The policy set out in the Statement seeks to promote the licensing objectives; and
- (ii) it consults the Local Licensing Forum for the Board's area, the relevant health board in terms of the Act and such other persons as the Board thinks appropriate.

The Board last prepared and published a Statement of Licensing Policy in 2018 and consulted widely on the proposed terms of the policy. In order to assess the impact of the proposed policy against the needs set out at Paragraph 2.2 above, the Board consulted, in particular, the following individuals and organisations who represent people with protected characteristics, as well as the Renfrewshire Community Planning Partnership:

- a) Diversity and Equality Alliance Renfrewshire
- b) Disability Resource Centre

- c) Dr Mohammed Ishaq, University of the West of Scotland
- d) Engage Renfrewshire
- e) LGBT+ Renfrewshire
- f) Members of the Scottish Youth Parliament
- g) PACHEDU
- h) Renfrewshire Access Panel
- i) Renfrewshire Council Youth Services
- j) Renfrewshire Effort to Empower Minorities (REEM)
- k) Renfrewshire Interfaith Group
- l) Renfrewshire Polish Association
- m) Renfrewshire Rising
- n) Renfrewshire Youth Voice
- o) Reaching Older Adults in Renfrewshire
- p) Soroptomist Paisley
- q) TransForm Renfrewshire
- r) West of Scotland Regional Equality Council (WSREC)
- s) Women's Aid
- t) YouFirst Advocacy

4.2.4 Following the consultation, the Board agreed to publish a Statement of Licensing Policy which made various changes to the previous policy. The Board considered responses to the consultation exercise and adopted, in particular, new licensing conditions in relation to deliveries of alcohol from licensed premises. These conditions seek in particular to protect children and young persons from harm, by introducing checks and safeguards around alcohol deliveries. The new policy also recognises that, for members of the public (including those with protected characteristics), engaging with the licensing process is a daunting experience. The policy therefore includes a section providing further information about the assistance that can be given to people by the Licensing Standards Officers and information about further resources which are available in relation to the licensing process.

4.2.5 The Board also provides in its new policy, as a general rule, that only those applications and matters which by statute are required to be considered by the Board will be submitted to the Board and all other applications will be determined by the Clerk and Depute Clerks to, or in some cases two Members of, the Board. This is to avoid people, such as those with protected characteristics, being required to attend a hearing where this can be avoided. Details of matters which require to be considered by the Licensing Board at a hearing are set out within the terms of the Statement of Licensing Policy. Those matters which are determined under delegated powers are reported to the next meeting of the Board and, as such, are accessible in the Agenda for that meeting and in the Minute of the meeting, once approved. These are all published on the Board's web pages.

4.2.6 The Board also agreed, in December 2018, a Statement of Principles under Section 349 of the Gambling Act 2005 to cover the three year period from 31<sup>st</sup> January 2019. In respect of the statutory review of this policy, the Board again



consulted more widely than required by this legislation and sought views from the individuals and bodies set out at Paragraph 4.2.3 above in order to assess the impact of the proposed policy on the equality groups.

4.2.7 The Licensing Board will consider any requests for reasonable adjustments by a disabled person to enable them to participate in a hearing. While no such requests have been made in relation to any hearing before the Licensing Board to date, the Board's officers have facilitated such requests in relation to licensing matters considered by the Regulatory Functions Board.

4.2.8 As set out in the Licensing Board's Statement of Licensing Policy, the Board is committed to actively embedding equality across all its functions and decision making processes. The Statement of Licensing Policy continues to state 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, sex, gender reassignment, sexual orientation, age, religion/belief, pregnancy/ maternity and disability and recognises that discrimination creates barriers to achieving equality for all people."

The Board's Statement of Licensing Policy also contains a link to this progress report.

4.2.9 The Board now requires a Disabled Access and Facilities Statement (DAFS) to accompany a valid application for a new licence or provisional licence for premises, following upon a change to the 2005 Act. The Board will make any DAFS available to members of the public, where this document exists. The purpose of DAFSs is to make members of the public aware of the disabled access and facilities within liquor licensed premises.

4.2.10 An informal update on progress in relation to mainstreaming equality and meeting the Board's equality outcomes was presented to the Board in October 2018. The Board had requested progress reports on an annual basis when it agreed to publish its last progress report and new equality outcomes in 2017.

## **5. ADMINISTRATIVE SUPPORT TO THE LICENSING BOARD**

- 5.1 All Licensing Board members are elected Councillors and all Licensing Board staff are employed by Renfrewshire Council, as stated at Paragraphs 3.2, 3.3 and 3.5 above.
- 5.2 The Clerk to the Licensing Board is the Head of Corporate Governance. The Deputy Clerks to the Board are solicitors based within Corporate Governance. All administrative staff undertaking duties on behalf of the Licensing Board are based within the Licensing Section of Corporate Governance. The Council has a statutory duty to employ a Licensing Standards Officer (LSO). Renfrewshire Council employs two officers able to carry out LSO and Civic LSO functions, who are also located within the Licensing Section of Corporate Governance.
- 5.3 The Board is committed to ongoing development for both Board members and staff with the right skills, capabilities and knowledge to deliver the licensing service. In particular:
- Equality and diversity training has been provided to all Board members.
  - All licensing staff and Licensing Standards Officers have undertaken training on equality and diversity using the Council's iLearn Training Package.
  - All licensing staff, and Board Members, have access to the Council's intranet site, which provides information and guidance on equality to increase awareness. They can also access guidance on HR policies relevant to equality.

## **6. PARTNERSHIP WORKING**

- 6.1 The Board is committed to working in partnership with a wide range of statutory and community organisations together with representatives of the trade and local community to promote the licensing objectives which underpin all of the Board's decision-making processes.
- 6.2 The Board has worked to maintain and strengthen existing partnerships to support the mainstreaming of equality. The Board is required to meet with the Licensing Forum annually, but licensing updates are given to the Forum, when available, from the Licensing Standards Officers, who are represented at all Forum meetings, and the Deputy Clerk who attends those meetings as required. The Licensing Forum is the medium through which the Board can engage with representatives of all parts of the community, including those with protected characteristics, to ensure that community views are taken into account in the development of Board policies and guidelines. The Forum requires to be representative of a wide range of interests, including persons having functions related to health, education or social work and young persons.

- 6.3 The Convener and other Members of the Board attended an event organised by health professionals from the Health and Social Care Partnership and Alcohol and Drug Partnership, following their election to the Board in May 2017. The event provided them with detailed information on the impacts of alcohol on health, including alcohol-related disabilities.
- 6.4 As stated at Paragraphs 4.2.3 and 4.2.6 above, the Board consulted widely in relation to the recent reviews of its liquor and gambling licensing policy statements. Such consultations are also published on the Council's website to maximise engagement from the public in the consultation process. An online survey was also made available in relation to the liquor licensing policy review, which attracted approximately 100 public responses.
- 6.5 The Board's Licensing Standards Officers have also taken part in various partnership working initiatives and events to facilitate improved access to liquor licensed premises and the experience of people within licensed premises. This is with particular regard to people with disabilities, but also to protect other people with protected characteristics, for example while travelling from licensed premises during the festive period. Further information in relation to this is provided at Paragraph 11.3.3 in relation to the Board's progress in meeting the equality outcomes agreed in 2017.

## **7 EQUAL ACCESS TO SERVICES**

- 7.1 The Board's services continue to be delivered having regard to an approach which provides for mainstreaming the equality duty.

For example:

- All meetings of the Board take place in the Council Chambers at Renfrewshire House. Any applicant who requires to attend in person to submit a licensing application or make a personal enquiry in relation to an application would attend the Council's Customer Service Centre situated within Renfrewshire House which continues to be accessible to people with access needs, in respect of its public areas.
- The licensing service is linked to the Council's dedicated section on equality and diversity on the website as the central point for accessing a wide range of local and national equality specific information and evidence. A link to this information is available from licensing pages on the website.
- The Board meets in public (although consideration of applications may take place in private) and all the decisions are made in public. 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 Board's quasi judicial function. The Minutes setting out the decisions made are, once approved by the Board, also published on the Council's website.

## **8. INCREASING PARTICIPATION AND INVOLVEMENT**

8.1 The Board seeks to ensure that everyone involved with the licensing process has an equal chance of participating as valued members of a diverse population, including people with protected characteristics. Progress includes:

- The Board's Statement of Licensing Policy sets out information on measures which Licence holders may use to promote the five licensing objectives. All applicants for premises licences are requested to submit information along with their application which demonstrates how licence holders intend to promote the licensing objectives in relation to their licensed premises. This expectation has now been formalised in the Board's new Statement of Licensing Policy.
- All applicants for new licences are also now required to include a Disabled Access and Facilities Statement with their application. These Statements may be inspected by the public and are designed to inform them as to what access and facilities licensed premises offer to disabled people. The new Statement of Licensing Policy has also been updated to reflect this new requirement.
- The Board actively supports the work of the Licensing Forum by consulting regularly with the Forum. The Depute Clerk to the Licensing Board attends meetings of the Forum as required.
- To ensure an understanding and experience of protected characteristics, Board members attend events as appropriate- for example Board Members attended an event organised by local health professionals following upon their election to the Board in 2017. This provided Board Members with a greater understanding of alcohol-related harms and disabilities, as set out at Paragraph 6.3 above.
- The reviews of the Board's liquor and gambling licensing policies in 2018 involved extended consultations, which included seeking views of groups representative of people with protected characteristics, as further detailed at Paragraphs 4.2.3 and 4.2.6 above.
- In relation to the review of the Statement of Principles under the Gambling Act 2005, which was undertaken in 2018, the Board sought information to update its local profile. This profile now sets out information on: areas with a concentration of households with dependant children; locations of schools; and locations of premises used by vulnerable adults (such as those with learning disabilities, mental health problems or addictions). The current profile also contains information on centres for youth activities including the LGBT+ Renfrewshire Group. The information within this profile is designed to assist the gambling industry and members of the public who may wish to raise concerns about licensing applications for gambling premises. Any concerns raised on an application would be considered at a hearing before the Licensing Board.

- The Board's Statement of Licensing Policy for liquor licensing and Statement of Principles for gambling, application forms and information on licensing are all published on the Renfrewshire Council website which meets accessibility standards.
- The language line telephone system and Contact Scotland BSL online interpreter service are accessible on demand and available to the Licensing section at the Council's Customer Service Centre.
- This document and other policies of the Board are available in alternative formats on request.

## **9. DECISIONS OF THE LICENSING BOARD**

- 9.1 The Board requires to make decisions in relation to licence applications and reviews before it in accordance with the statutory grounds set out in the Licensing (Scotland) Act 2005. The grounds of refusal and review do not include any reference to equality issues.
- 9.2 However, where nuisance or anti-social behaviour is caused by misuse of alcohol, then the sale/supply of alcohol could be a relevant factor in that misuse. The Board, when provided with appropriate information about the misuse, may consider using its powers appropriately in the circumstances to ensure that negative impact is removed with appropriate actions and decisions. In hearings before the Board since its last progress report on mainstreaming equality and meeting the equality outcomes, the Board has had regard to negative impacts of alcohol misuse including harmful behaviour towards people with particular protected characteristics, including religion/belief, race and age.
- 9.3 Within this period, the Board has considered thirteen premises licence reviews and three personal licence reviews. Of the premises licence reviews, three resulted in licences being revoked, one in the suspension of a licence and two in the licences being varied. Of the personal licences reviewed, one personal licence was revoked, one was suspended and one was endorsed. The review applications which led to these hearings were received from diverse groups, including Police Scotland, the Licensing Standards Officers and local residents.
- 9.4 The Board has also, in relation to premises licence applications considered by them, examined carefully the terms of the children and young persons' access sought in the application. This has resulted in the extent of the children's and young persons' access being restricted in some cases. The Board has also, in relation to applications before it, attached conditions in relation to home deliveries requiring age verification checks and that alcohol is not left unattended. These restrictions and conditions were agreed by the Board to protect children and young people from harm.

## **10. GATHERING EQUALITY INFORMATION AND EVIDENCE**

- 10.1 The Licensing Section within Renfrewshire Council, which provides administrative support to the Board, is committed to continuous improvement which ensures excellent service delivery and customer care to a diverse population and people with protected characteristics. As the Board's administration is carried out by Renfrewshire Council staff the Board has access to equality evidence and information being gathered by the Council to support the impact assessment process, plan, design and delivery of services.
- 10.2 Licensing pages are linked to the dedicated section on Equality & Diversity on the Council's website as the central point for accessing a wide range of local and national equality specific evidence and information.
- 10.3 Customer satisfaction surveys have integrated equality monitoring.
- 10.4 The Board benefits from wider consultation carried out by Renfrewshire Council, which has gathered its own monitoring data to understand better who our citizens are and how their needs can best be met. The Council has met with representative and individual equality groups to ascertain what activities need to take place and how success may be measured. In addition, the Board's officers have met with the Renfrewshire Access Panel.

## **11. RENFREWSHIRE LICENSING BOARD'S EQUALITY OUTCOMES 2017-2021: PROGRESS**

- 11.1 In line with the statutory equality duties Renfrewshire Licensing Board as a public authority is required to publish a set of evidence based equality outcomes every four years. The Board last published equality outcomes in 2017, for the period 2017 to 2021. The Board also requires to publish a report on the progress it has made to achieve its equality outcomes every two years.
- 11.2 In 2017, Renfrewshire Licensing Board developed three equality outcomes, as listed below:
  - i) Service users across the equality groups are positive and engaged with the Licensing services;
  - ii) The Licensing Board's staff are skilled, flexible and confident when engaging with the diverse communities and people with protected characteristics;
  - iii) The Board works with partners to improve access to licensed premises by people with protected characteristics.
- 11.3 The information in this section is structured in line with the Board's three equality outcomes as agreed in 2017 and details progress against the actions identified to achieve these outcomes.

#### 11.3.1 Equality Outcome 1: Service users across the equality groups are positive and engaged with the Licensing services

##### Success Measures:

This outcome had been adopted in the Board's first set of equality outcomes, developed for the period 2013-2017. However, the initial response from new licence holders to equality monitoring questionnaires was disappointing, with only one questionnaire being returned to the Board.

After the Board agreed this equality outcome for the period 2017-2021 and to continue to seek improved engagement in the process, further questionnaires were sent to licence holders. This resulted in a considerably improved response, with 54 responses to date having been received. Annex 1 to this report provides a summary of the responses received.

The Board required, in 2018, to undertake two substantial policy reviews, in respect of its Statement of Licensing Policy and the Statement of Principles under the Gambling Act 2005. The Board consulted widely in relation to these reviews. In addition to consulting all premises licence holders and various other consultees with an interest in these licensing systems, the Board also included in the consultations a number of individuals and groups representative of people with protected characteristics, who were consulted in order to identify any adverse equality impacts. Further information in relation to these consultations is set out at Paragraphs 4.2.3 and 4.2.6 above.

As set out at Paragraph 8.1 above, the Board agreed in its Statement of Gambling Principles for the period 2019-2022 to update its profile in relation to locations of schools, treatment centres for people with protected characteristics and other relevant information to assist the Board and the public with regard to the exercise of the Board's gambling functions.

The introduction of disability access facilities statements means that members of the public will now be able to obtain information from the Board in relation to newly licensed premises as to the access to and facilities in licensed premises for disabled people. The Board will continue to look at ways of improving the provision of information to the public in relation to accessibility of premises during the period 2019 to 2021.

#### 11.3.2 Equality Outcome 2: The Licensing Board's staff are skilled, flexible and confident when engaging with the diverse communities and people with protected characteristics

##### Success Measures:

All new staff supporting the licensing function have been required to complete equalities training. All current licensing staff have now therefore undertaken this training.

In addition, the Board's officers have required to consider licensing enquiries and complaints in the period since 30<sup>th</sup> April 2017 including those from various people with particular protected characteristics. The Board's officers have required to show adaptability to progress these matters, including identifying and making any reasonable adjustments which may be required to facilitate people's participation in licensing processes. The Board's officers have been able to work with other officers of Renfrewshire Council to achieve this.

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

#### 11.3.3 Equality Outcome 3: The Board works with partners to improve access to licensed premises by people with protected characteristics

##### Success Measures:

The Board's Licensing Standards Officers continue to visit licensed premises on a rolling basis and, at these visits, continue to give consideration to whether licensed premises are accessible to those who may have disabilities or other access needs.

These officers also continue to work with Police Scotland to promote public safety messages during festive periods and support Council officers in relation to matters such as Paisley Town Centre's Purple Flag status. These initiatives are important to improve the safety of all people within Renfrewshire, but particularly people with protected characteristics who may be potentially vulnerable travelling home from licensed premises.

A Licensing Standards Officer attends quarterly meetings of Renfrewshire Access Panel. Arrangements were made by Licensing Standards Officers for a representative of Guide Dogs Scotland to attend local Pubwatch meetings and the Renfrewshire Access Panel. Similar arrangements were made for the Chair of the Access Panel to attend at a Pubwatch meeting to highlight accessibility issues. By arrangement with Police Scotland, Licensing Standards Officers also enabled the Chair of the Access Panel and a representative of Guide Dogs Scotland to give presentations at Police Scotland's Annual Licensing Seminar in late 2017.

The Police Licensing Seminars, designed for the liquor licensed trade and attended by and contributed to by the Convener of the Licensing Board and the Board's Licensing Standards Officers, covered other important equality issues in 2017 and 2018, with presentations on violence and sexual assault in addition to the specific presentations by Guide Dogs Scotland and the Access Panel which were included at the 2017 Seminar.

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This Partnership working seeks to improve the general accessibility of licensed premises for people with protected characteristics, particularly people with disabilities.



The Board will continue to explore any opportunities to work with partners to improve access to licensed premises by people with protected characteristics between the publication of this report and April 2021.

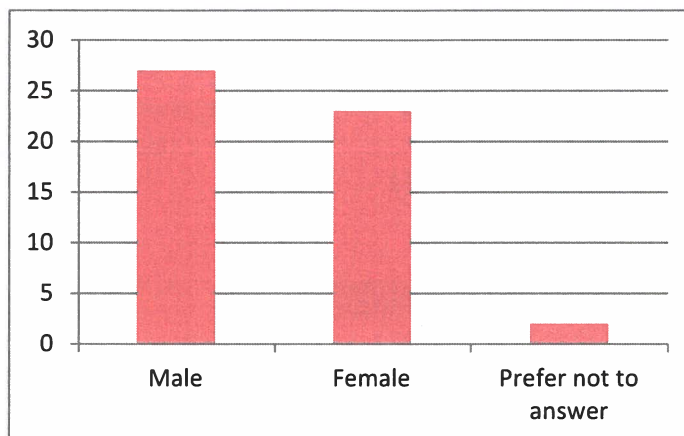
## Renfrewshire Licensing Board Equality Monitoring- Summary of Responses.

Between 20/03/2017 - 31/01/2019

ANNEX 1

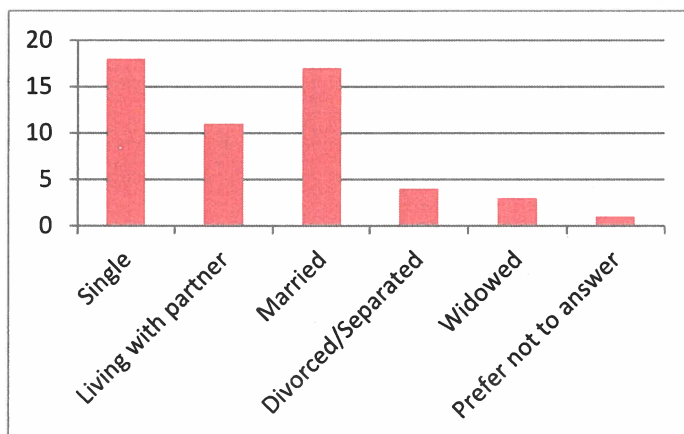
### SEX

Male	27
Female	23
Prefer not to answer	2
	<b>52</b>



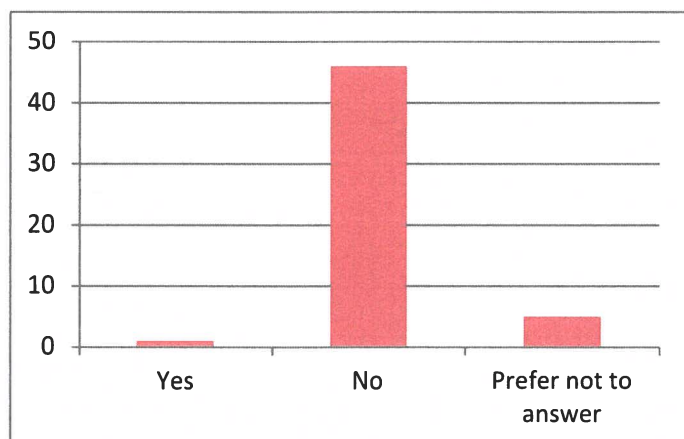
### MARRIAGE/CIVIL PARTNERSHIP

Single	18
Living with partner	11
Married	17
Divorced/Separated	4
Widowed	3
Prefer not to answer	1
	<b>54</b>



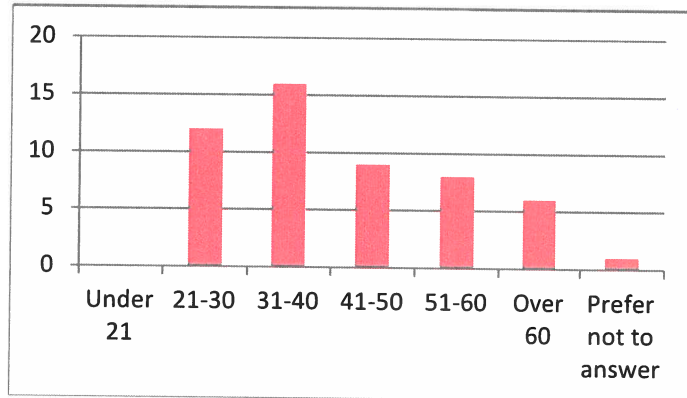
### DISABILITY OF SPECIAL NEEDS

Yes	1
No	46
Prefer not to answer	5
	<b>52</b>



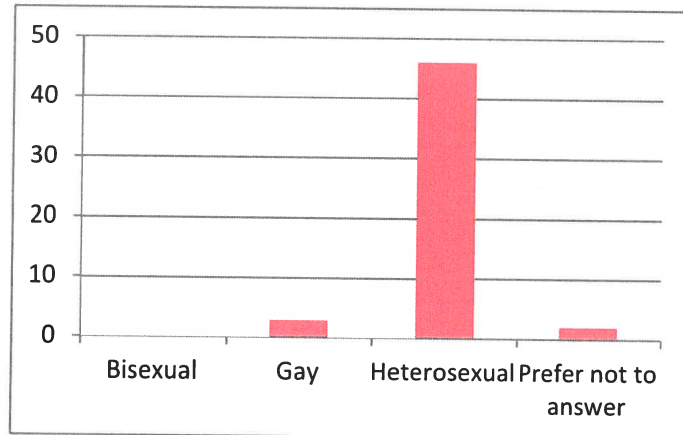
### AGE

Under 21	0
21-30	12
31-40	16
41-50	9
51-60	8
Over 60	6
Prefer not to answer	1
	<b>52</b>



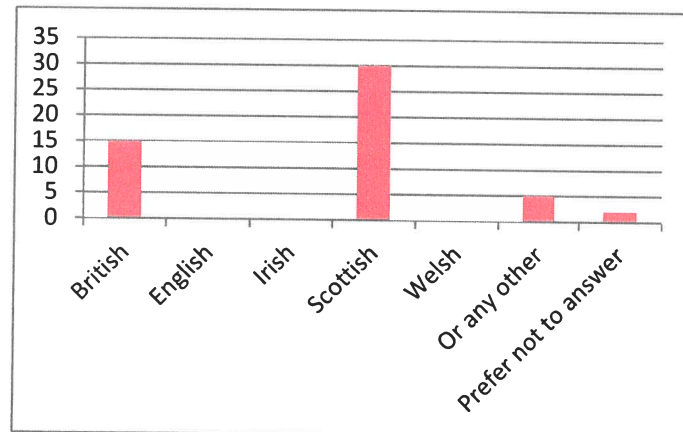
### SEXUAL ORIENTATION

Bisexual	0
Gay	3
Heterosexual	46
Prefer not to answer	2
	<b>51</b>



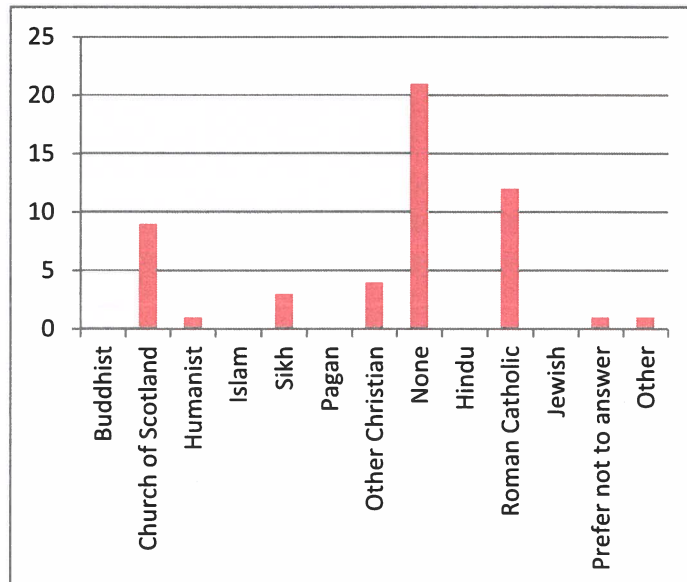
### NATIONAL IDENTITY

British	15
English	0
Irish	0
Scottish	30
Welsh	0
Or any other	5
Prefer not to answer	2
	<b>52</b>



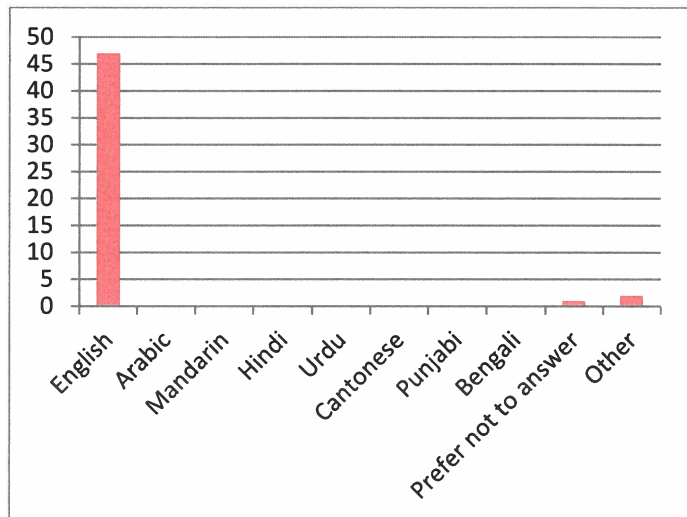
## RELIGION OR BELIEF

Buddhist	0
Church of Scotland	9
Humanist	1
Islam	0
Sikh	3
Pagan	0
Other Christian	4
None	21
Hindu	0
Roman Catholic	12
Jewish	0
Prefer not to answer	1
Other	1
	<b>52</b>



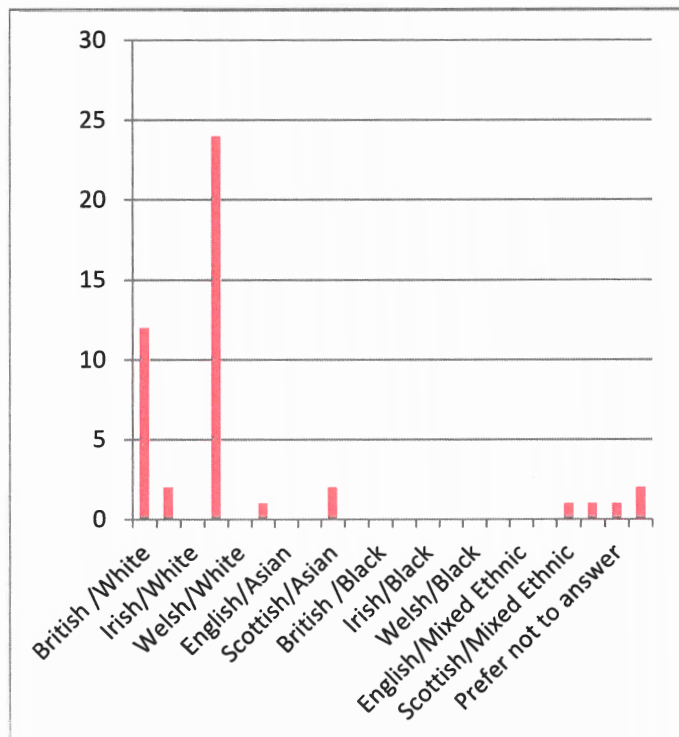
## PRIMARY OR MAIN LANGUAGE

English	47
Arabic	0
Mandarin	0
Hindi	0
Urdu	0
Cantonese	0
Punjabi	0
Bengali	0
Prefer not to answer	1
Other	2
	<b>50</b>



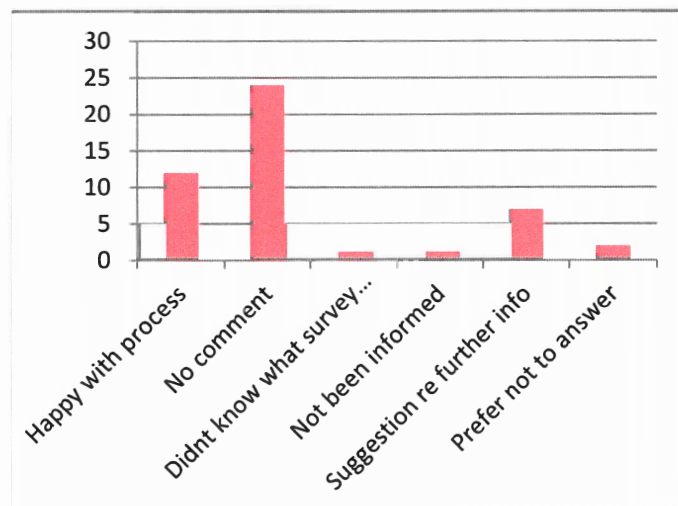
### GROUPS IDENTIFY WITH

British /White	12
English/White	2
Irish/White	0
Scottish/White	24
Welsh/White	0
British /Asian	1
English/Asian	0
Irish/Asian	0
Scottish/Asian	2
Welsh/Asian	0
British /Black	0
English/Black	0
Irish/Black	0
Scottish/Black	0
Welsh/Black	0
British /Mixed Ethnic	0
English/Mixed Ethnic	0
Irish/Mixed Ethnic	0
Scottish/Mixed Ethnic	1
Welsh/Mixed Ethnic	1
Prefer not to answer	1
Other	2
	46



### COMMENTS

Happy with process	12
No comment	24
Didnt know what survey about	1
Not been informed	1
Suggestion re further info	7
Prefer not to answer	2
	47



**Sent** 496  
**Responded** 54  
**%** 10.89%

**To: RENFREWSHIRE LICENSING BOARD**

**By: CLERK TO THE LICENSING BOARD**

**Date: 4 MARCH 2019**

**Subject: DELEGATED REVOCATION OF PERSONAL  
LICENCES**

## **1. SUMMARY**

- 1.1 Attached as Appendix I is a list of Personal Licences that were revoked under delegated powers on 2 February 2019 where the Personal Licenceholder failed to comply with the requirement to produce evidence of refresher training in terms of Section 87(3) of the Licensing (Scotland) Act 2005.

## **2. RECOMMENDATION**

For Members Information

Contact Officer: - Douglas Campbell (Ext 7172)

**Personal Licence**

<b>No:</b>	<b>PersonalLicence Holder</b>	<b>Status</b>	<b>Date Revoked</b>
RC/1433	Jessica Rose Bell	Revoked	04/02/2019
RC/1434	Kevin Febers	Revoked	04/02/2019
RC/1435	Suzanne Vines	Revoked	04/02/2019
RC/1436	Steven Wilkie	Revoked	04/02/2019
RC/1437	Alison Gebbie	Revoked	04/02/2019
RC/1442	Morna Carrick	Revoked	04/02/2019
RC/1443	Catherine Young	Revoked	04/02/2019
RC/1444	Brian Freeman	Revoked	04/02/2019