



Equality Impact/Fairer Scotland Duty Assessment Form

Step 1

Name of Proposal (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions):

New alcohol Licensing Policy Statement of Angus Licensing Board in terms of the Licensing (Scotland) Act 2005

Step 2

Is this only a **screening** Equality Impact Assessment

No

(A) If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people

(ii) It is a percentage increase in fees which has no differential impact on protected characteristics

(iii) It is for information only

(iv) It is reflective e.g. of budget spend over a financial year

(v) It is technical

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

(B) If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment

Yes

Is this a Fairer Scotland Duty Assessment

/No

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

Step 3

(i) Lead Directorate/Service: Angus Licensing Board (the Clerk of which is Jackie Buchannan)

Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

Yes. The Licensing (Scotland) Act 2005 heavily prescribes the legal duties and powers of local licensing boards in the preparation of their Statements of Policy and in particular sets out the 5 licensing objectives of preventing crime and disorder; securing public safety; preventing public nuisance; protecting and improving public health; and protecting children and young persons from harm.

(ii) What is the aim of the proposal? Please give full details.

1. The proposal is a draft statement of the Licensing Board's new policy in relation to its decision making, processes and procedures in fulfilling its statutory role, having regard to the principles set down in the 2005 Act of preventing crime and disorder; securing public safety; preventing public nuisance; protecting and improving public health; and protecting children and young persons from harm.

(iii) Is it a new proposal?

Yes but it largely reflects the Board's existing policy statement which it updates.

OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? No Please indicate

Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees	Not in that capacity
Job Applicants	Not in that capacity
Service users	Yes
Members of the public	Yes

Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:

Internal data (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

Internal consultation (e.g. with staff, trade unions and any other services affected).

External data (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

Data provided by stakeholders and views submitted by consultees, responding to consultation were all considered before deciding the policy.

External consultation (e.g. partner organisations, national organisations, community groups, other councils).

There were two lots of public consultation, which included consultation with identified groups and individuals. Several responses were received which were largely supportive and provided suggestions for a number of changes to some areas of the policy. The only suggestions received which directly relate to equalities are reflected in the draft policy or have been identified for future consideration as part of ongoing review.

Other (general information as appropriate).

Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold? No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

Step 7: Are there potential differential impacts on protected characteristic groups? Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.

Impact

3.5.1 Age - One of the principles set out by the Licensing (Scotland) Act 2005 is protecting children and young persons (age 16 and 17) from harm. The Board therefore has a list of model conditions relating to children and young persons' access to the premises which it may apply to premises' licences. The Board supports the provision of family friendly licensed premises but has particular concerns regarding those where supply of alcohol is the primary purpose and therefore expects applicants to provide details of their proposals to prevent the sale of alcohol to children and/or young persons, such as the age verification scheme, Challenge 25. Where applicants intend permitting children under the age of 5 to access the premises, baby changing facilities which are accessible to persons of any gender will require to be provided.

Impact

Disability - Positive. The Licensing (Scotland) Act 2005 imposes requirements in relation to those subject to the policy eg by requiring a disabled access and facilities statement.

Impact

Gender reassignment – Positive. Baby changing facilities will be provided which are

accessible to any gender.

Impact

Marriage and Civil Partnership - neutral

Impact

Pregnancy/Maternity – Positive. Baby changing facilities will be provided which are accessible to any gender.

Impact

Race - (includes Gypsy Travellers) - neutral

Impact

Religion or Belief - neutral

Impact

Sex – the Board seeks to encourage premises licence holders to participate in initiatives to protect those who may be vulnerable, such as through the Ask Angela scheme. Where applicants intend permitting children under the age of 5 to access the premises they will require to provide baby changing facilities which are accessible to persons of any gender.

Impact

Sexual orientation - neutral

Impact

Step 8: Consultation with any of the groups potentially affected

Public consultation as indicated at Step 5 above.

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

There were two lots of public consultation, which included consultation with identified groups and individuals. 5 lots of comments were received. These were largely supportive. Suggestions for a number of changes to some areas of the policy were also included. The only suggestions received which directly related to the protected characteristics (age)are reflected in the draft policy or will be given further consideration.

The responders included statutory consultees including those whose membership includes representation of others, such as children and young persons.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact N/A

Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?

No negative impacts identified. The policy encourages the provision of family friendly premises.

Step 10: If a potentially negative impact has been identified, please state below the justification.

Limiting children and young persons' access to some premises and facilities is in pursuit of the statutory objective of protecting children and young persons from harm.

Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics.

Equality of opportunity is advanced by ensuring children and young people continue to be protected; disabled access to premises continues to be considered by applicants as is reflected in the requirement that they provide a disabled access and facilities statement; where children under 5 present, baby changing facilities will be accessible to any gender; and the Ask Angela scheme is encouraged, which provides assistance to anyone vulnerable needing protection.

Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?

Nothing further than stated above.

Step 13: FAIRER SCOTLAND DUTY

This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.

Links to data sources, information etc which you may find useful are in the Guidance.

The Fairer Scotland Duty does not apply to the Licensing Board which is distinct from the Council

Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?

Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.

Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.

Low and/or No Wealth (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.

Impact

Material Deprivation (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

Impact

Area Deprivation (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport).

Impact

Socio-economic Background i.e. social class including parents' education, people's employment and income.

Impact

Other – please indicate

Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.

Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?

The Board is required by statute to review its Policy from time to time and to keep it under review in the meantime. This will also apply to the EIA/FSD.

Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?

Online, together with the relevant report to the Licensing Board

Step 16: Sign off and Authorisation. Please state name, post, and date for each:

Prepared by:

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Reviewed by: Doreen Phillips, Snr Practitioner (Equalities) on 24 August 2023

Approved by: Alison Watson, Service Leader – Legal & Procurement on 1 Sept

2023

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.
