

Integrated Impact Assessment Form

Promoting Equality, Human Rights and Sustainability



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Title of Policy/ Proposal	East Lothian Licensing Board Statement of Licensing Policy
Completion Date	18 September 2018
Completed by	Jill Totney, Team Manager – Democratic and Licensing
Lead officer	Rudi Frusynski, Licensing Standards Officer

Type of Initiative:

Policy/Strategy

Programme/Plan

Project

Service

Function

Other

New or Proposed

Changing/Updated

Review or existing

1. Briefly describe the policy/proposal you are assessing.

Set out a clear understanding of the purpose of the policy being developed or reviewed (e.g. objectives, aims) including the context within which it will operate.

Every five years, there is a statutory requirement (Licensing (Scotland) Act 2005), for each Scottish Local Authority Licensing Board to publish a Statement of its Policy. The current Policy was originally to cover the period from November 2013 to November 2016 but it was extended by the Air Weapons and Licensing (Scotland) Act s.42 up to the date falling eighteen months after the local government election. The period of the new Policy will be from November 2018 to November 2023. Following extensive review and consultation, the final draft (v8) of the Policy Statement will be presented to East Lothian Licensing Board on 27 September for approval.

2. What will change as a result of this policy?

The primary role and responsibilities of East Lothian Licensing Board are to support and uphold the five national licensing objectives of:

- preventing crime and disorder
- securing public safety
- preventing public nuisance
- protecting and improving public health
- protecting children and young persons from harm

The key changes in the 2018/2023 statement of policy, which strengthen the delivery of the five licensing objectives, are:

There will no longer be an overprovision policy statement for the on-sales and off-sales of alcohol. This recognises the statistical evidence provided by Alcohol Focus Scotland (AFS) and the Centre for Research on Environment, Society and Health (CRESH); the planned residential development in East Lothian over the next 10 years; and the need to retain businesses, and develop new businesses, in East Lothian

All 18th and 21st birthday parties which are to be held on licensed premises must be pre-notified to the Licensing Standards officer (LSO) and Police Scotland, at least 14 days in advance of the event.

Licensed premise layout plans are to contain more detail and be scrutinised more closely, to promote security of stock and prevent theft from off-sales premises. Extended opening hours over Christmas and New Year to be reduced from 14 consecutive days over the festive period, to 24-26, and 31 December; and 1 January each year.

Home deliveries of alcohol – delivery drivers to be trained to the same level as staff selling alcohol in licensed premises, with particular importance placed on age identification procedures. Home deliveries of alcohol must not be left in a safe place and must be signed for on proof of age ID.

Additional information to be included in provisional and occasional licence applications with regard to business plan information – to provide full details of the activities which will take place in the premises (eg occasional acoustic music or nightly amplified music). This will assist decision making and better manage public expectations/reduce objections.

The revised Policy Statement now includes a list of all licensed (on-sales and off-sales) premises in East Lothian.

3. Do I need to undertake an Integrated Impact Assessment?

High Relevance	Yes/no
1. The policy/ proposal has consequences for or affects people	Yes
2. The policy/proposal has potential to make a significant impact on equality	No
3. The policy/ proposal has the potential to make a significant impact on the economy and the delivery of economic outcomes	Yes
4. The policy/proposal is likely to have a significant environmental impact	No
Low Relevance	
5. The policy/proposal has little relevance to equality	Yes
6. The policy/proposal has negligible impact on the economy	No
7. The policy/proposal has no/ minimal impact on the environment	Yes
<p>If you have identified low relevance please give a brief description of your reasoning here and send it to your Head of Service to record.</p> <p>The recommendation to no longer have an overprovision statement means that the Licensing Board will be making decisions based on statistical information (Alcohol Focus Scotland/CRESH (see below)) and local knowledge. The Board will adopt a consistent approach to the factors that they take into account. This could mean that access to alcohol could vary between different demographic areas or wards, especially when CRESH information relating to alcohol outlet availability and harm in East Lothian is factored into Board decisions when granting alcohol licences. While recognising the harm that can be caused by alcohol and acknowledging the submission from East Lothian Licensing Forum, it can be concluded that there is no evidence that East Lothian is overprovided with licenced premises at this time. There is potential that businesses do not open or develop in East Lothian if they are not granted alcohol licenses, and rely on this part of their business for commercial success. There is no environmental impact.</p>	

If you have answered yes to 1, 2, or 3 above, please proceed to complete the Integrated Impact Assessment.

If you have identified that your project will have a significant environmental impact (4), you will need to consider whether you need to complete a Strategic Environmental Assessment.

4. What information/data/ consultation have you used to inform the policy to date?

Evidence	Comments: what does the evidence tell you?
Data on populations in need	None
Data on service uptake/access	Alcohol Focus Scotland (AFS)/CRESH
Data on quality/outcomes	Alcohol Focus Scotland CRESH – Alcohol harm in East Lothian; Alcohol Outlet availability
Research/literature evidence	Alcohol Focus Scotland/CRESH NHS Scotland - Monitoring and Evaluating Scotland's Alcohol Strategy (MESAS)
Service user experience information	Alcohol Focus Scotland/CRESH East Lothian Licensing Forum
Consultation and involvement findings	<ul style="list-style-type: none"> • East Lothian Local Licensing Forum • A multi-agency stakeholder working Group was formed to consider development of the new Policy • The Licensing Standards Officer • East Lothian Council Planning, Building Standards, Environmental Health, Adult & Children's Services, Landscape and Countryside Services, Area Partnerships, Education/Schools, Event Planning and other service areas • Community Councils • Police Scotland • Scottish Fire & Rescue Service • Scottish Beer & Pub Association

	<ul style="list-style-type: none"> • Education and Schools • Adult and Area Partnerships • Queen Margaret University Students Association • NHS Lothian • Public Protection Office • Integrated Services Joint Board • East Lothian Tenants and Residents Panel • MELDAP • Youth Bank Scotland • Scottish Youth Parliament • Parent Councils • East Lothian Councillors • Safer Communities Team including East Lothian Community Wardens, Anti-social Behaviour Team and Environmental Protection Night Time Noise Team • Scottish Licensing Law Practice • Scottish Licensing Trade News • TLT Licensing Solicitors • Pub Chains • All East Lothian Households and Businesses through the Living East Lothian Newspaper • The public generally through East Lothian Council's website Consultation Hub • Independent East Lothian Licensing Forum website
Good practice guidelines	AFS/CRESH
Other (please specify)	East Lothian Council Equality Plan 2017-21
Is any further information required? How will you gather this?	

5. How does the policy meet the different needs of groups in the community?

	Issues identified and how the strategy addresses these
<p>Equality Groups</p> <ul style="list-style-type: none"> • Older people, people in the middle years, • Young people and children • Women, men and transgender people (includes issues relating to pregnancy and maternity) • Disabled people (includes physical disability, learning disability, sensory impairment, long-term medical conditions, mental health problems) • Minority ethnic people (includes Gypsy/Travellers, migrant workers, non-English speakers) • Refugees and asylum seekers • People with different religions or beliefs (includes people with no religion or belief) • Lesbian, gay, bisexual and heterosexual people • People who are unmarried, married or in a civil partnership 	<p>Changes affect all individuals equally.</p>
<p>Those vulnerable to falling into poverty</p> <ul style="list-style-type: none"> • Unemployed • People on benefits • Single Parents and vulnerable families • Pensioners • Looked after children 	<p>Changes affect all individuals equally. However, CRESH research, data and mapping shows areas of higher alcohol use/availability/areas of deprivation etc. It could be that the Board make decisions that will reduce access to alcohol in the immediate locale, for some individuals. Generally this would impact equally on all individuals and</p>

<ul style="list-style-type: none"> • Those leaving care settings (including children and young people and those with illness) • Homeless people • Carers (including young carers) • Those involved in the community justice system • Those living in the most deprived communities (bottom 20% SIMD areas) • People misusing services • People with low literacy/numeracy • Others e.g. veterans, students 	<p>should not be regarded as a negative impact; even if it is considered so by any individuals who may have a reliance upon or abusive relationship with alcohol.</p>
<p>Geographical communities</p> <ul style="list-style-type: none"> • Rural/ semi rural communities • Urban Communities • Coastal communities 	<p>Changes affect all individuals equally.</p>

6. Are there any other factors which will affect the way this policy impacts on the community or staff groups?

None

7. Is any part of this policy/ service to be carried out wholly or partly by contractors?

If yes, how have you included equality and human rights considerations into the contract

No

8. Have you considered how you will communicate information about this policy or policy change to those affected e.g. to those with hearing loss, speech impairment or English as a second language?

The Policy Statement will be published on East Lothian Council website. As per East Lothian Council practice, the Statement of Policy will be made available in different languages and formats on request.

9. Please consider how your policy will impact on each of the following?

Objectives	Comments
Equality and Human rights	
Promotes / advances equality of opportunity e.g. improves access to and quality of services, status	The revised Policy statement will ensure all licensing decisions support the licensing objectives by improving public safety and health; and protecting children and young persons from harm.
Promotes good relations within and between people with protected characteristics and tackles harassment	As above
Promotes participation, inclusion, dignity and self control over decisions	As above
Builds family support networks, resilience and community capacity	The policy has no impact on these
Reduces crime and fear of	The Policy Statement supports the licensing objectives of preventing crime and disorder, preventing public nuisance

crime	securing public safety, and protecting children and young persons from harm.
Promotes healthier lifestyles including <ul style="list-style-type: none"> • diet and nutrition, • sexual health, • substance misuse • Exercise and physical activity. • Lifeskills 	The Policy Statement supports the licensing objective of protecting and improving public health. The Policy Statement includes data on alcohol misuse and health impacts. Current on-sales and off-sales availability of alcohol will be a factor in Board decisions. Controlling/making considered decisions about the availability of alcohol, especially in areas of deprivation, could have a positive impact on the lifestyles of some individuals.
Environmental	
Reduce greenhouse gas (GHG) emissions in East Lothian (including carbon management)	The Policy Statement has no impact on environmental concerns.
Plan for future climate change	
Pollution: air/ water/ soil/ noise	
Protect coastal and inland waters	
Enhance biodiversity	
Encourage resource efficiency (energy, water, materials and minerals)	
Public Safety: Minimise waste generation/ infection control/ accidental injury /fire risk	
Reduce need to travel / promote sustainable forms or transport	
Improves the physical environment e.g. housing quality, public and green space	
Economic	
Maximises income and /or reduces income inequality	There is a high likelihood that businesses will not establish/develop in East Lothian if a liquor license is not

Helps young people into positive destinations	<p>granted. However, it is anticipated that the Board would be mindful of balancing economic development needs with the need to deliver on the five licensing objectives.</p> <p>Business development would help regenerate local High Streets and deliver on the tourism agenda.</p>
Supports local business	
Helps people to access jobs (both paid and unpaid)	
Improving literacy and numeracy	
Improves working conditions, including equal pay	
Improves local employment opportunities	<p>Business Development and retention of existing businesses who require a liquor licence for all or part of their business activities, should lead to increased local employment opportunities.</p>


10. Action Plan

Identified negative impact	Mitigating circumstances	Mitigating actions	Timeline	Responsible person
None identified	n/a	n/a	n/a	n/a

11. Sign off by Head of Service

Name

Date


 Name: *Tom Lanyon*
 Date: *21/9/18*

