

REPORT TO ABERDEENSHIRE LICENSING BOARDS

SOUTH DIVISION – 5th FEBRUARY 2020

CENTRAL DIVISION – 12TH FEBRUARY 2020

NORTH DIVISION – 28th FEBRUARY 2020

REVIEW OF LICENSING BOARD STRUCTURE IN ABERDEENSHIRE

CONSIDERATION OF CONSULTATION RESPONSES

1 Reason for Report / Summary

1.1 The purpose of this report is to inform the Licensing Boards of the outcome of the public consultation which took place between the 20th December 2019 and the 20th January 2020 on the structure of the Licensing Boards.

1.2 This report seeks the views of the Licensing Boards which will be reported to Aberdeenshire Council on 5th March 2020.

2 Recommendations

The Licensing Board is recommended to:

2.1 Consider and comment on the proposal to reduce the number of Licensing Boards from three Divisional Boards to a single Board for Aberdeenshire.

3 Purpose and Decision Making Route

- 3.1 Aberdeenshire Council, at its meeting on 21st November 2019, instructed the Head of Legal and Governance, in her role as Clerk to the Licensing Boards to conduct a review of the Licensing Board structure in Aberdeenshire, including public consultation. The South, Central and North Boards were consulted prior to public consultation. Appendix 1 to this report contains the report as presented to all three Boards in December and the initial comments of all Boards can be found at Appendix 2 to this report. The public consultation ran from the 20th December 2019 to the 20th January 2020. All premises licence holders, over 600, were sent a letter informing them of the consultation and the consultation was promoted on social media and on the Council website.
- 3.2 35 responses were received to the public consultation as detailed in Appendix 3 to this report. The Head of Legal and Governance will make a recommendation to Council following analysis of all relevant data including the views of the Divisional Boards and the public. The decision on the structure of the Boards lies with Council.
- 3.3 The views of the South and Central Boards will be included in the report to Full Council however the North Board meeting date is later than the date of publication of the agenda for Council and so the comments of the North Board will be verbally updated at Full Council on 5 March 2020.

4 Discussion

Analysis of Public Consultation

This section of the report will analyse the themes arising from responses given to the questions posed in the survey. As already noted, 35 responses were received. The full responses along with a statistical analysis can be found in Appendix 3 to this report.

- 4.1 The first question asked whether the respondent thought that there are any positives about reducing the number of Boards to one. 77.78% responded yes. 22.22% responded no. There were 28 comments on this question.

The positives themes arising from the comments on reducing the number of Boards include:-

- Reduction will lead to a pragmatic, simplified and streamlined approach;
- There will be less bureaucracy and greater alignment with all areas following the same guidelines;
- Consistency of approach across Aberdeenshire in applying policies and procedures will be much improved;
- Consistency in decision making between Licensing Boards;
- A reduction could lead to lower costs and less travel;
- A reduction will mean that there is more efficiency;
- That it will be easier from the public point of view to deal with only one Board;
- Cutting down the number of councilors required on Boards thus reducing expenses;
- Representing the ethos of "One Aberdeenshire";
- That the reduction will mean a better use of resources.

The concerns raised in the responses to this question include:-

- Local Boards are familiar with the area and that moving to one Board would dilute the local knowledge;
- Concerns that unless staff remains the same there will be added pressures.

Whilst acknowledging that some have concerns, the vast majority of those responding are supportive of a move to a single Licensing Board for the reasons given above. In relation to the concerns raised, there are no plans to reduce the staffing complement as a result of any restructure of licensing boards. The time savings will better equip staff to process the applications received timeously and to focus the resource on other issues.

- 4.2 The second question asked whether there were any concerns about moving to one Board. 33.33% said yes. 66.67% said no. 19 comments were received on this question.

The concerns raised include:-

- That there should be no reduction in service as currently the service is first rate;
- That there would be an inability to respond to questions in a timeous manner;

- A perception that the staff number would reduce;
- Lack of local knowledge.

Comments included:-

- There is no justification for three Boards with different policies;
- The proposal to reduce to one Board makes sense;
- Consistency is again mentioned.

It is pleasing to see that the service provided by the Licensing Team is rated highly and that there is a concern for the staff. As stated above, there are no plans to reduce the staffing complement if a decision is made to move to a single Licensing Board and so concerns in that regard can be eased. The comments regarding local knowledge is important. The role of the Licensing Standards Officer cannot be overlooked in terms of local knowledge. They are the “eyes” and “ears” of the Boards and can provide the requisite local knowledge where appropriate. Local knowledge, whilst important, does not form part of the legal test requirements and decisions should not be based on local knowledge, but on the application of the legal test to the circumstances before the Board. In recognising the importance and the concerns of the respondents, any proposal to move to one board would include a recommendation that there is at least 1 member from each area in Aberdeenshire on a single Board.

- 4.3 The next few questions looked to ascertain whether or not any of the respondents had attended a Licensing Board meeting in the last 3 years. 16.67% said that they had, leaving 83.33% who had not. Of those attending, 50% attended the North Board, 16.67% attended the Central, and 33.33% attended the South. The majority of those attending did so as an applicant.
- 4.4 Participants were asked whether they would be willing to attend and participate at Board meetings via video link or other remote means. 61.11% said that they would. Comments on this topic are mixed with positives including that this would be a logical extension of modernising the delivery of local democracy and that it would reduce the carbon footprint of individuals and minimize unnecessary travel to concerns over availability of connection in rural locations. Should a new Board encounter issues over attendance due to distance, remote participation can be investigated at that point. Participants were also asked whether they would use public transport to get to a meeting if this was possible. 55.56% said that they would whereas 38.89% said no.
- 4.5 The location of where a single Board should meet was the subject of the next few questions. 41.67% said that the Board should be at a fixed location, whereas 55.56% thought that it should rotate around various locations. Comments include that rotating is important given the geographic scale of Aberdeenshire, that a rotating board would be better to visit communities and meet local people and that it brings democracy to everyone. However other comments are that by rotating there could be additional costs and that Aberdeenshire isn't that big and it shouldn't make any difference where the meetings are held. Participants were asked for suggestions for where meetings could be held so that they are accessible across Aberdeenshire. Some suggestions were based on specific locations such as Aberdeen, Inverurie,

anywhere that is easily accessible from the AWPR such as Stonehaven, Ellon or Banchory, Peterhead, with other suggestions being village halls, council building and hotels. Any single Board would be able to determine their own rota and location of meetings and to keep this under review. Given that a timetable of meetings and locations have been set for the current Board structure throughout 2020 it may be possible to utilise these dates and venues initially for a single Board rotating around Aberdeenshire.

4.6 The last question was whether or not there should be local member representation on a new Board from all areas of Aberdeenshire. Overwhelmingly, 91.67% said yes, whilst 8.57% said no. Comments include:-

- That those on a single Board must be representative of the whole area currently covered by the 3 Boards;
- That representation from all areas gives direct knowledge of the premises in their areas;
- That it is democratic to have representation from all areas;
- Some have commented that one policy should fit all areas.

Any proposal for a single Board would look closely at membership. As discussed in the report presented at the Licensing Boards in December, the statutory maximum number of Board Members is 10. Aberdeenshire has six administrative areas and so a potential proposal is that at least one member from each area should be elected to a single Board, and the balance of four being apportioned by number of premises in the area. For example, there are marginally more premises in the North Board area and so a single Board could comprise of 1 additional member from both what is currently the Central and South Board area and 2 from the North Board area and that decision lies with Council. Currently, for information, the Buchan Area Committee only has one representative within the Licensing Board structure.

4.7 Overall, there is strong public support for the proposal to move to a single Licensing Board. The preference from the public is that any Licensing Board should rotate around Aberdeenshire and that there should be representation from all areas in Aberdeenshire.

4.8 For information, the report for Full Council will include the information as presented to Boards in December as well as the information on the public consultation included in this report.

5 Council Priorities, Implications and Risk

5.1 The report helps deliver Council Priority 10 – Having the right people, in the right place, doing the right thing, at the right time and has potential to impact upon Priority 11 – Protect our special environment, including tackling climate change by reducing greenhouse gas emissions. This report dovetails with the delivery of the LOIP Priority – Changing Aberdeenshire’s Relationship with Alcohol.

5.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial	x		
Staffing		x	
Equalities	X	X	
Fairer Scotland Duty			x
Town Centre First		x	
Sustainability	x		
Children and Young People's Rights and Wellbeing		x	

5.3 An equality impact assessment is attached to this report as Appendix 4.

- 1.1 Any staffing, financial, sustainability and children and young people's rights and wellbeing implications will be assessed during the review and will be reported to Full Council along with the recommendation. There are no direct staffing implications. Whilst reduction to one board would yield some savings in staff time, these are counterbalanced by increased staff commitment in other aspects so neutralise any effect. The number of premises, personal licences and work involved in processing applications will remain constant in whichever model is adopted.
- 1.2 Adopting one single Licensing Board will lead to a reduction in membership from the current 24 Members to a statutory maximum of 10, yielding a saving in terms of the costs of training which is mandatory and purchased from external certificated providers. There are other potential savings in terms of printing, travel costs through a reduction in membership, paper costs however this would potentially have to be balanced against any increases in travel distances for Board meetings depending on where meetings are held and which members are elected to a single Board.

5.6 The following Risk has been identified as relevant to this matter on a Corporate Level:-
[ACORP004 – Business and Organisational Change](#)

Ritchie Johnson

Director of Business Services

Report prepared by Lauren Cowie, Principal Solicitor (Governance)

Date 20th January 2020

List of Appendices

[Appendix 1 – Initial Comments from the South, Central and North Divisional Boards](#)

[Appendix 2 – Public Consultation Response](#)

Appendix 1

Initial Comments from the South, Central and North Boards

South Board

Members present were generally supportive of a move to one Board subject to ensuring that all Council areas were represented on the Board. There was a question as to how even representation could be achieved if there ten members since there are six areas.

It was thought that one fixed central meeting place, probably Woodhill house would be best.

Central Board

Members considered the positives about reducing the number of Boards to one Board were the time savings involved for Officers and Board Members and also the financial benefits which would be incurred by the smaller number of Members needing accreditation training, the paper saving costs and the postage saving costs.

However, members felt that the current number of three Boards was working well and that the current system fairly reflected the policies of each individual area. Members had a concern that by reducing the number of Boards, and thus reducing the number of members, there would be less overall members involved when determining important decisions and documents such as the Board Policy Statements.

The Board felt that the location of the Board should be fixed to avoid confusion and that the venue should be accessible by the public and a location such as Woodhill House would be helpful.

The Board felt that yes, if a new single Board was accepted, there should be representation on a new Board from all areas of Aberdeenshire and this could be achieved by ensuring at least one member from each of the 6 'areas' in Aberdeenshire is elected to a single Board and this would also assist with local member input. The Board felt that this matter would however need to be looked at carefully to ensure a fair balance and full representation and the 'areas' would need to be defined.

The Board felt that the frequency of meetings may need to increase and thought that the maximum members of 10 should be appointed to any new single Board.

North Board

All members were supportive of a consultation on the Board structure. Some members did not wish to comment until the views of the public, licence holders and consultees were known. Others felt that there had been a clear decrease in the business of the Licensing Boards since transition to the Licensing (Scotland) Act 2005 regime that there could be some positives in reduction. These positives related to efficiency, effectiveness and with a focus on processing time for applicants. Very few applications require Board input as there is a clear scheme of delegation in place and officers deal with the majority of applications. It is right to look at remote participation and reduce travel. There was a view that there should not be a fixed location but that the Board should rotate around different venues in Aberdeenshire. It is important for all areas to be represented. If move to a single Board, then there needs to be debate on proportionality and representation.

There are much less site visits now than previously. Would want to see that there is a retention of officer expertise in their fields. Local input and expertise can be obtained from the Licensing Standards Officers.

There were comments that it was a common sense approach and welcomed the work done to date particularly around the carbon footprint of the Boards.

There were contrary views that 3 Boards may be better due to the local knowledge and the fact that the financial savings are not substantial in moving to a single Board.

Appendix 2 – Public Consultation Responses

Number of respondents: 36

This appendix provides the full details of the responses received to the consultation.

Do you think there is any positives about reducing the number of Boards to one?

Yes	%	No	%
28	77.78	8	22.22

Do you have any concerns about moving to one Board?

Yes	%	No	%
12	33.33	24	66.67

Have you attended a Board meeting in the last 3 years?

Yes	%	No	%
6	16.67	30	83.33

Breakdown by Board attended:

<i>North</i>	<i>%</i>	<i>Central</i>	<i>%</i>	<i>South</i>	<i>%</i>
3	50.00	1	16.67	2	33.33

Breakdown by Attendee:

<i>Applicant</i>	<i>%</i>	<i>Consultee</i>	<i>%</i>	<i>Not Stated</i>	<i>%</i>
3	50.00	2	33.33	1	16.67

If it were possible to attend and participate at Board meetings via video link or similar remote means would you consider this?

Yes	%	No	%
22	61.11	14	38.89

Would you use public transport to get to a meeting if this was possible?

Yes	%	No	%	No Answer	%
20	55.56	14	38.89	2	5.56

Do you think that the Board location should be fixed or rotate around other locations?

Fixed	%	Rotating	%	No Answer	%
15	41.67	20	55.56	1	2.78

Do you have any suggestions for where meetings could be held so that they are accessible for all across Aberdeenshire?

Overall suggestions made: 18

Breakdown:

Suggestions specifying place names: 15

Named Place	Number	%
Aberdeen	3	20.00
Inverurie	6	40.00
Peterhead	2	13.33
Various	4	26.67

Suggestions specifying type of building: 8

Type of Building	Number	%
Council Owned	4	50.00
Other	4	50.00

Do you think that there should be member representation on a new Board from all areas within Aberdeenshire?

Yes	%	No	%
33	91.67	3	8.33

Responses

Do you think there is any positives about reducing the number of Boards to one?

#	Yes	No	Comments Made
1	x		<i>Better use of resources.</i>
2	x		<i>Consistent policy across Aberdeenshire, should also have savings in expenditure and expenses.</i>
3	x		<i>As a Director and past president of the AB&K LTA we requested this takes place as the 2005 Act was being implemented but the Board wasn't interested. Maybe it's good to listen sometimes and save money as well.</i>
4	x		<i>A consistent approach through the whole of Aberdeenshire.</i>
5		x	<i>It is basically done as one Board in Stonehaven now. Everything has to be sent to Stonehaven.</i>
6	x		<i>Simplified approach for all.</i>
7	x		<i>It could be streamlines as far as paperwork etc. goes.</i>
8	x		<i>My business attends Highland Games within two boards, and it would be easier to apply to only one and have one point of contact.</i>
9	x		<i>No inconsistencies between Boards.</i>
10	x		<i>Consistency across the whole Aberdeenshire area in approach and decision making by the Board; One Statement of Licensing Policy which will again provide consistency across a whole Board area. Ease of communication with the Board.</i>
11	x		<i>More potential for consistent decision making and potential for less travel for council officers attending boards.</i>
12		x	<i>Aberdeenshire is a massive area with distinct communities that differ from one another, this needs local knowledge. Plenty of people from Aberdeen have never set foot in Peterhead or Banff and do not know the local environment to be able to judge what is suitable or not.</i>
13	X		
14	x		<i>Same policies throughout. Dealing with one team rather than three.</i>
15	x		<i>Reduced potential for "rogue" decisions to be made in a particular area. Whilst local decisions and accountability are important, the principle of One</i>

			<i>Aberdeenshire should also stand. One Board would make economical sense, and potentially bring savings to the Council.</i>
16	x		<i>Cost savings and consistency of decision making.</i>
17	x		<i>Consistency of decision making.</i>
18	x		
19		x	<i>Lack of local focus. No clear cost savings due to travel to a central location. Overburdened in admin at single location.</i>
20	x		<i>It would seem sensible to streamline the whole system for Aberdeenshire thus reducing costs.</i>
21		x	
22	x		<i>Represent the ethos of One Aberdeenshire and also providing consistency to applying policy and procedures.</i>
23	x		<i>Less travel, less messing about.</i>
24		x	
25	x		
26	x		<i>Cut down amount of councillors required on Licensing Board reducing expenses. One board, one set of rules.</i>
27		x	
28	x		<i>Easier to deal with 1 Board.</i>
29	x		<i>Cost and efficiency.</i>
30		x	<i>Unless the number of staff remains the same, there will be added pressure.</i>
31	x		
32		x	<i>Local services are familiar with the area, a board that sits and combines all areas can't possibly be fair and unbiased to all parties. Local area boards know their own patch as it were some situations may be unique to one area. The rules apply to all areas however local knowledge is ultimately helpful in making final decisions.</i>
33	x		<i>All areas following same guidelines.</i>
34	x		<i>Less bureaucracy. Greater alignment.</i>

35	x		<i>A pragmatic and streamlined approach.</i>
36	x		<i>So, all areas are making same decisions.</i>

Do you have any concerns about moving to one Board?

#	Yes	No	Comments Made
1		x	<i>Makes sense.</i>
2		x	<i>No comments.</i>
3		x	<i>There is no justification in having three, with I might add differing policies. Policy should be standard in the whole of Scotland let alone Aberdeenshire.</i>
4		x	
5	x		<i>If moving to one board means less people working on the processing of licences, then I do have concerns. Licences take a long time to process as it is.</i>
6		x	
7	x		<i>Aberdeenshire is a very large area and I would worry that personnel would be lost.</i>
8		x	<i>No comments.</i>
9	x		<i>We have first rate service and help currently would this decrease?</i>
10		x	<i>Should result in greater consistency.</i>
11		x	
12	x		<i>As before these decisions should be taken locally by people living in and with the knowledge of the immediate area and what is suitable for it.</i>
13		X	
14		x	
15		x	
16		x	<i>Providing the Board is made up of elected members from across Aberdeenshire.</i>
17		x	<i>The checks & balances will still be there as the board's work is governed by statute.</i>
18	x		

19	x		<i>Lack of local knowledge and accountability. Lack of proper oversight. System becomes a rubber stamp exercise. The current use of a pro forma "plan" already leads to a tick box process by the applicants. They tick all the boxes whether relevant to the actual facility or not (see for example Hampton by Hilton in Elrick). Applications filled out by lawyers rather than actual managers of facilities.</i>
20		x	<i>Centralisation would cut costs.</i>
21		x	
22		x	<i>As per the reasons provided in question 1.</i>
23		x	
24	x		<i>Aberdeenshire is such a vast area, better to have councillors that know the area make decisions locally.</i>
25		x	
26		x	
27	x		<i>Different regulations for areas.</i>
28		x	
29		x	<i>Centralisation is good.</i>
30	x		<i>Too much pressure on remaining staff.</i>
31		x	
32	x		<i>Inability to respond adequately to questions complaints queries etc. in a timely manner. Also, as previous question.</i>
33	x		<i>This may reduce some aspect permitted.</i>
34	x		<i>There should be no redaction in service. This includes the need for the forum to be representative of the whole of Aberdeenshire, and not just those based within South, Central or North. All needs to be represented.</i>
35		x	
36		x	

If it were possible to attend and participate at Board meetings via video link or similar remote means would you consider this?

Yes No Comments Made

1	x		<i>It is quite common nowadays to use these methods.</i>
2		x	
3		x	<i>I somehow don't think some of the remoter sites would agree to this e.g. internet connection is still poor.</i>
4	x		
5	x		
6	x		
7	x		
8	x		
9		x	
10	x		
11	x		
12		x	
13	x		
14	x		
15		x	N/A
16	x		
17	x		<i>It is a logical extension of modernising delivery of local democracy.</i>
18	x		
19	x		
20	x		<i>If it were necessary for me to attend the meeting, then this would be an option.</i>
21		x	
22	x		<i>Reduce the individual carbon footprints and to minimise unnecessary travel.</i>
23		x	
24		x	
25	x		
26	x		
27		x	

28		x	
29		x	
30		x	
31	x		
32		x	
33	x		<i>Depending on availability.</i>
34	x		
35		x	
36	x		

Would you use public transport to get to a meeting if this was possible?

#	Yes	No	Comments Made
1		x	
2			<i>No answer specified.</i>
3	x		
4			<i>No answer specified.</i>
5		x	
6		x	
7		x	
8		x	
9		x	
10	x		
11	x		
12	x		
13		x	
14	x		
15	x		
16	x		
17	x		
18	x		

19	x		
20		x	
21		x	
22		x	
23	x		
24		x	
25		x	
26	x		
27		x	
28	x		
29	x		
30	x		
31	x		
32	x		
33		x	
34		x	
35	x		
36		x	

Do you think that the Board location should be fixed or rotate around other locations?

#	Fixed	Rotating	Comments Made
1	x		<i>It shouldn't make any difference once formed as one group.</i>
2		x	
3	x		<i>By rotating you are just introducing extra cost. Aberdeenshire isn't that big!</i>
4	x		
5		x	
6	x		
7		x	
8	x		<i>In a central area would be great.</i>

9		<i>Unsure.</i>
10	x	
11	X	
12	x	
13	x	
14	x	
15	x	
16	x	
17	x	<i>Again, helps bring "democracy" to everyone, particularly if only one board is the result of the consultation.</i>
18	x	
19	x	<i>Needs to get round the communities and see the lie of the land. Must meet locals.</i>
20	x	<i>A central could be agreed and fixed.</i>
21	x	
22	x	<i>This would then support the one licensing board but have local member representation.</i>
23	x	
24	x	
25	x	
26	x	
27	x	
28	x	
29	x	
30	x	
31	x	
32	x	
33	x	
34	x	
35	x	<i>Rotating is especially important to allow all those within Aberdeenshire to attend, as this is a massive area to cover.</i>

36	x	
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Do you have any suggestions for where meetings could be held so that they are accessible for all across Aberdeenshire?

#	Yes	No	Comments Made
1		x	
2	x		<i>Perhaps rotating between a central point in each of the three previous areas covered?</i>
3	x		<i>Probably Inverurie is as central as anywhere.</i>
4	x		<i>Inverurie.</i>
5	x		<i>Inverurie.</i>
6		x	
7		x	
8	x		<i>Council offices in Aberdeen.</i>
9		x	
10		x	
11		X	
12		x	
13		x	
14	x		<i>Peterhead.</i>
15	x		<i>Woodhill.</i>
16	x		<i>Various locations across Aberdeenshire that are easily accessible by public transport.</i>
17		x	<i>I only have limited knowledge of the facilities available in your premises, particularly if they need to have modern IT connectivity.</i>
18		x	
19		x	<i>Local hotels, village halls, scout halls.</i>
20	x		<i>Possibly Inverurie - good public transport links.</i>
21		x	
22	x		<i>At various corporate offices within Aberdeenshire.</i>
23	x		<i>Village halls where there is public transport.</i>

24	x		<i>Local Council buildings e.g. Town Halls</i>
25	x		<i>Peterhead.</i>
26	x		<i>Aberdeen.</i>
27		x	
28		x	
29	x		<i>Should be held at Inverurie.</i>
30		x	
31		x	
32		x	
33	x		<i>Inverurie - any council building.</i>
34	x		<i>Community Centres, Libraries, Stonehaven, Ellon, Banchory. All locations easily accessible on the AWPR.</i>
35	x		<i>Aberdeen.</i>
36		x	

Do you think that there should be member representation on a new Board from all areas within Aberdeenshire?

#	Yes	No	Comments Made
1	x		<i>Better democracy.</i>
2		x	
3		x	<i>One policy should fit all.</i>
4	x		
5	x		
6	x		
7	x		
8	x		
9	x		
10	x		
11	X		
12	x		

13	x		
14	x		
15	x		<i>It is important to ensure all areas are represented.</i>
16	x		<i>These should be elected representatives, not political appointees.</i>
17	x		<i>Again, to help ensure consistency and "democracy" being seen to being done.</i>
18	x		
19	x		<i>Need knowledge of local issues from everywhere.</i>
20	x		<i>They would have knowledge of the premises in their area.</i>
21	x		
22	x		<i>As mentioned above.</i>
23	x		
24	x		
25	x		
26	x		
27	x		
28	x		
29	x		
30	x		
31	x		
32	x		<i>Most definitely this is imperative.</i>
33	x		
34	x		<i>Yes, must be representative of the whole area, across all three of the previous boards.</i>
35		x	
36	x		

EQUALITY IMPACT ASSESSMENT

EIA Version	Date	Author	Changes
1	23.1.2020	L. Cowie	

Stage 1: Title and aims of the activity (“activity” is an umbrella term covering policies, procedures, guidance and decisions including those that affect services the council delivers).	
Service	Business Services
Section	Legal and Governance, Licensing
Title of the activity etc.	Review of the Structure of the Licensing Boards in Aberdeenshire
Aims and desired outcomes of the activity	Considering a restructure of the Aberdeenshire Licensing Board Structure and potential reduction to a single Licensing Board.
Author(s) & Title(s)	Lauren Cowie, Principal Solicitor (Governance)

Stage 2: List the evidence that has been used in this assessment and explain what it means in relation to the activity you are assessing.		
Evidence	What does it say?	What does it mean?
Internal data (customer satisfaction surveys; equality monitoring data; customer complaints).	Data has been gathered regarding the number of hearings, volume of paper, time spent at Licensing Boards by officers and members.	The data gathering means that reviewing the structure is worthwhile and that there are potential time savings and sustainability savings along with small financial savings.

External consultation (partner organisations, community groups, and councils).	An external survey was published and 36 responses.	That there is public and partner support for a move to one Licensing Board
External data (census, available statistics).	Comparison across Scotland shows that the vast majority of local authorities have one Licensing Board	That it is possible that one Board can represent a whole area.

Stage 3: Evidence Gaps.	
Are there any gaps in the information you currently hold?	No

Stage 4: Measures to fill the evidence gaps.		
What measures will be taken to fill the information gaps before the activity is implemented? These should be included in the action plan at the back of this form.	Measures:	Timescale:
Stage 5: What steps can be taken to promote good relations between various groups/areas?		
These should be included in the action plan.	The Licensing Boards are bound by the Equalities duties in the same way that the Council are. The Boards take their equalities duties seriously and contribute to the Council's mainstreaming reports. Boards must take decisions on the basis of the licensing objectives however they are also subject to the public sector equality duty. Having one Licensing Board will allow engagement to be looked at on a wider basis than currently and makes engagement easier for partners in terms of dealing with one Board rather than three.	

Stage 6: How does the policy/activity create opportunities for advancing equality of opportunity?

Licensing Boards are in place to regulate the sale and supply of alcohol and to oversee Gambling. The impact of reducing to one Board has a neutral impact in terms of the opportunities awarded to applicants for a licence to enable them to take advantage of commercial opportunities, or to fundraise. Reducing to one Board ensures that there is consistent decision making and approaches to issues across Aberdeenshire so that different decisions are not reached based on where you live/work.

Stage 7a:

Are there potential impacts on protected groups?

The protected groups covered by the equality duty are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Who is affected by the activity or who is intended to benefit from the proposed activity and how?

Complete the table below for each protected group by inserting “yes” in the applicable box/boxes below.

	Positive	Negative	Neutral	Unknown
Age – Younger/Older			No identifiable impact	
Age - Older			No identifiable impact	
Disability			No identifiable impact	
Race – (includes Gypsy Travellers)			No identifiable impact	
Religion or Belief			No identifiable impact	
Sex			No identifiable impact	
Pregnancy and maternity			No identifiable impact	
Sexual orientation – (includes Lesbian/ Gay/Bisexual)			No identifiable impact	

Gender reassignment – (includes Transgender)			No identifiable impact	
Marriage and Civil Partnership			No identifiable impact	

Stage 7b: Do you have evidence or reason to believe that this policy, activity etc. will or may impact on socio-economic inequalities?

This is about trying to be fair to everyone. Part of that is realising that not everyone may be starting at the same place. Some individuals and families may have low income, may have very little or no savings which means they are living from month to month therefore changes to council policies/services may have a greater adverse impact on them.

On this basis you should consider potential impacts on individuals/families by:

- Place: on specific vulnerable areas or communities (SIMD, regeneration, rural) e.g. housing, transport.
- Pockets: household resources, (Income, benefits, outgoings) ability to access a service
- Prospects: peoples life chances e.g.access to, or ability to access: employment, training, services (such as council or health) or support.

Groups of people who may be impacted include, but not limited to:

<ul style="list-style-type: none"> • Unemployed • Single parents and vulnerable families • People on benefits • Those involved in the criminal justice system • People in the most deprived communities • People who live in rural areas 	<ul style="list-style-type: none"> • Pensioners • Looked after children • Carers including young carers • Veterans • Students • Single adult households • People who have experienced the asylum system 	<ul style="list-style-type: none"> • Those leaving the care setting including children and young people and those with illness • Homeless people • People with low literacy/numeracy • People with lower educational qualifications • People I low paid work • People with one or more protected characteristic
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Please complete by inserting “yes” in the applicable box/boxes below.

Socio-economic disadvantage	Positive	Negative	Neutral	Unknown
Pockets: Low income/income poverty – cannot afford to maintain regular payments such as bills, food, clothing				Yes

Pockets: Low and/or no wealth – 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				Yes
Pockets: Material deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies				Yes
Place: Area deprivation – where you live, where you work			Yes	
Prospects: Socioeconomic background – social class i.e. parents education, employment and income , educational achievement.			Yes	

Stage 8: What are the positive and negative impacts?		
Impacts.	Positive (describe the impact for each of the protected characteristics affected)	Negative (describe the impact for each of the protected characteristics affected)
Please detail the potential positive and/or negative impacts you have highlighted above. Detail the impacts and describe those affected.	Consistent Policies and implementation across Aberdeenshire	Perceived lack of local knowledge
	Better use of Council resources	

Stage 9: Have any of the affected groups/areas been involved, engaged with or consulted?	
If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?	There was a public consultation and no discernible negative nor positive impact was evidenced during the consultation on any issue which would cause any concern under the Fairer Scotland duty.

Stage 10: What mitigating steps will be taken to remove or reduce negative impacts?		
	Mitigating Steps	Timescale
These should be included in any action plan at the back of this form.	If there is an impact on applicants, which at the moment is unknown until a decision is made as to whether there will be one board, and if so whether it will be fixed or rotating, requiring to travel a further distance and this is made known to the Boards, arrangements could be put in place to accommodate remote participation from a local Council office. This will be further mitigated by ensuring that any venue is accessible by public transport.	As and when there are issues.
	Consideration will require to be given to the location and start time of meetings. If those will be travelling further, this should be considered.	

Stage 11: What monitoring arrangements will be put in place? How the EIA will be used to monitor the proposal	
These should be included in any action plan (for example customer satisfaction questionnaires).	Any single Board will be able to keep their own arrangements under review. It is suggested that there is a review of their arrangements after one year of operation however that if there are issues arising that the Board will deal with this as appropriate.

Stage 12: What is the outcome of the Assessment?

Please complete the appropriate box/boxes	1	No negative impacts have been identified –please explain.
	No negative impacts have been identified by the move to a single Board. As identified above, should any negative impacts on applicants be identified, the Board will review the arrangements.	
	2	Negative Impacts have been identified, these can be mitigated - please explain. * Please fill in Stage 13 if this option is chosen.
	3	The activity will have negative impacts which cannot be mitigated fully – please explain. * Please fill in Stage 13 if this option is chosen

* Stage 13: Set out the justification that the activity can and should go ahead despite the negative impact.

Stage 14: Sign off and authorisation.		
Sign off and authorisation.	1) Service and Team	Business Services, Legal and Governance
	2) Title of Policy/Activity	Review of Licensing Board Structure in Aberdeenshire (if appropriate)

3) Authors: I/We have completed the equality impact assessment for this policy/ activity.	Name: Lauren Cowie Position: Principal Solicitor (Governance) Date: 23.1.2020 Signature:	Name: Position: Date: Signature:
	Name: Position: Date: Signature:	Name: Position: Date: Signature:
4) Consultation with Service Manager	Name: Laura Bremner Date: 23.1.2020	
5) Authorisation by Director or Head of Service	Name: Karen Wiles Position: Head of Legal and Governance Date: 23.1.2020	Name: Position: Date:
6) If the EIA relates to a matter that has to go before a Committee, Committee report author sends the Committee Report and this form, and any supporting assessment documents, to the Officers responsible for monitoring and the Committee Officer of the relevant Committee.		Date:
7) EIA author sends a copy of the finalised form to: equalities@aberdeenshire.gov.uk		Date:

