

THE CITY OF ABERDEEN LICENSING BOARD

RACE RELATIONS (AMENDMENT) ACT 2000

**RACE RELATIONS ACT 1976
(STATUTORY DUTIES) (SCOTLAND) ORDER 2002**

RACE EQUALITY SCHEME

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RACE EQUALITY SCHEME

1: INTRODUCTION

- 1.1 The City of Aberdeen Licensing Board ('the Board') is the Board constituted for the local government area of the City of Aberdeen in terms of the Licensing (Scotland) Act 1976. The Board is entrusted with the administration of liquor licensing and with certain other statutory duties.
- 1.2 In terms of the legislation the Board comprises 14 members of the City of Aberdeen Council ('the Council') elected at the first Council meeting after each ordinary Council election. The Board must consist of not less than one quarter of the total number of members of the Council.
- 1.3 All revenue received by the Board from the fees on licence applications must be transferred to the Council. The Council is charged with the responsibility for providing accommodation for the meeting of the Board and all necessary expenses in respect of the proceedings of the Board. All staff carrying out the Board's responsibilities are appointed and employed by the Council.
- 1.4 The close connections between the Board and Council mean that the Board is aware of the major initiatives already undertaken by the Council with regard to the mainstreaming of equalities issues. It affords the Board the opportunity to benefit directly from the actions already proposed by other Council services (in particular Community Development) to ensure the Council's compliance with race equality obligations. This is reflected in the Scheme set out in the following pages.
- 1.5 It should be noted that this is a working document which will be subject to appropriate amendments as a result of future consultation and development.

2: RACE EQUALITY

2.1 In terms of the Race Relations (Amendment) Act 2000 and the Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002 the Board has been placed under a general duty to:-

1. Eliminate unlawful racial discrimination.
2. Promote equality of opportunity
3. Promote good race relations between people of different racial groups

The Board has also come under a statutory requirement to prepare and publish a Race Equality Scheme

2.2 This document identifies that the functions and policies of the City of Aberdeen Licensing Board require to be monitored and assessed to ensure that the Board is complying with the general duty.

2.4 The general duty provides the Board with a challenge to review its functions and policies and an opportunity to identify prejudice and discrimination through the services it provides.

2.5 In supporting the general principles of race quality, the Board will also seek, where appropriate, to build the general duty into its structures and future activities.

3: THE RACE EQUALITY SCHEME

3.1 The Race Equality Scheme is the Board's plan stating how it intends to meet its general duty.

3.2 In its Race Equality Scheme (RES), the Board is required to identify those of its functions and policies, or proposed policies, which it considers relevant to issues of race equality. The Scheme must go on to identify the Board's arrangements for:

1. Assessing and consulting on the likely impact of its proposed policies on the promotion of race equality;
2. Monitoring its proposed policies for any adverse impact on the promotion of race equality;
3. Publishing the results of its assessments, consultations and monitoring;
4. Ensuring public access to information and services; and
5. Training staff in connection with its general and particular duties for the promotion of race equality.

3.3 The duration of the Scheme is three years. The assessment of functions and policies requires to be reviewed every three years and this will lead on to a review of the Scheme.

4: MONITORING OF APPLICATIONS FOR LICENCE

- 4.1 It has been suggested that there is a lack of information about the persons using the Council's licensing service. No customer survey has ever been undertaken and the impact of policies adopted tends to be assessed by other bodies. A means of addressing this would be the implementation of an ethnic monitoring scheme covering applicants for licence. During 2003 the Board will accordingly introduce a voluntary scheme along similar lines to the Council's employment monitoring. Data will be collected by reference to age, disability, ethnicity and gender. The assistance of the Council's Community Development Service will be sought in relation to monitoring data ingathered.

5: THE BOARD'S FUNCTIONS

- 5.1 The Board's functions derive mainly from statute and are detailed below in statutory and non-statutory categories. This list is not exhaustive, but it does identify the key areas in which the Board is likely to operate:

1. Statutory Functions

1. The Board accepts and processes to grant, renewal or refusal all applications for:
 - (a) Liquor Licences in terms of the Licensing (Scotland) Act 1976 as amended
 - (b) Gaming Licences in terms of the Gaming Act 1968 as amended
 - (c) Gaming Machine Permits for public houses and hotels in terms of Schedule 9 of the Gaming Act 1968 as amended; and
 - (d) Betting Office Licences, Betting Agency Permits and Bookmaker's Permits in terms of the Betting, Gaming and Lotteries Act 1963 as Amended.
2. The Board considers complaints in respect of Licences and some permits granted and the holders of these, and where necessary holds Hearings with a view to resolving the complaint, either by way of suspension of Licence or some less radical remedy.
3. The Board makes a number of decisions in terms of liquor licensing affecting the day to day management or hours of operation of premises licensed for the sale of alcohol.

2 NON STATUTORY

Formulating, consulting on and adopting policies in relation to the exercise of the Board's licensing function.

- 5.2 The Board has considered which of its functions and policies are relevant to the general duty and their relative significance in this context. It has accordingly determined that all the listed functions should be regarded as having a high relevance in relation to the general duty.
- 5.3 The Board regulates its meetings, delegation of decision making and other aspects of its internal administration by means of Regulations made from time to time as required. For the purposes of the RES, the Regulations are considered to be included within the Board's policies.
- 5.4 In the light of its determination that its functions have a high relevance to the general duty the Board has determined that its policies including proposed policies should have equivalent status.
- 5.5 The Board will conduct an audit of all existing policies to ensure compliance with the Council's Access to Information Guidelines.

6: CONSULTATION

- 6.1 The Board is required to have and identify arrangements for assessing and consulting on the likely impact of its proposed policies on the promotion of race equality. The Board recognises that the steps required in respect of each policy will vary depending on the nature of the policy and the surrounding circumstances. From the introduction of this Scheme, all reports presented to the Board proposing policies that have any significant relevance to race equality will include details of:
1. An assessment of the impact of the proposed policy on race equality;
 2. Any consultation carried out in conjunction with that assessment;
 3. Any action (including monitoring, where appropriate) proposed in consequence of that assessment and consultation.

The Board will consider these matters in reaching its decision on the proposed policy.

- 6.2 As part of an existing prior consultation process on policy development the Board has created a Licensing Board Working Group for the City of Aberdeen. This brings together members, trade interests, statutory bodies and community groups. The Group already plays a significant part in the development of Board policies. The Board is conscious that the Council's RES intends that the Race Equality Forum will be actively involved in review of the Council's RES progress report and will be consulted on progressing specific issues.
- 6.3 The Board is required to have and identify arrangements for monitoring its policies for any adverse impact on race equality. It is proposed that the effects of policies will be subject to regular scrutiny as part of the review process.

7: PUBLICITY

- 7.1 The Board is required to identify the arrangements it will make to publish the results of any assessments, consultations and monitoring it carries out to establish whether its policies have any impact on race equality.
- 7.2 The development and adoption of policies are subject to the overall direction of the Board, as is the monitoring of the impact of policies. As part of the review process the Board will consider further publicity (including publicity in relation to the Scheme itself).
- 7.3 The Board is also required to identify the arrangements it will make for ensuring public access to information and the services it provides. The Board is governed by the Licensing (Scotland) Act 1976 in respect of access to information concerning applications and licences granted. At present, the Board has no information as to the level of awareness of its role amongst the various communities within the Licensing area. The Licensing Board will use its consultation process to determine what action, if any, is required and achievable to develop public awareness.
- 7.4 The Board's close links with the Council allows it access to the Council's publishing processes such as its extensive database on relevant local organisations to ensure wider circulation of desired information. Information in relation to the implementation of the provisions of the Act will be done by way of progress reports including the progress report on the RES and in sections of more general reports such as the Chief Executive's eight weekly report to the Council and the Council's Annual Report.
- 7.5 These reports and the information can be delivered by a number of media:

- Direct Presentations
- Written Reports
- Aberdeen City Council Website
- Internal Newsletters
- The Council's team briefing system

As with all important Council information, these will be available in the four community languages, on tape, large print, Braille etc.

- 7.6 This Scheme will be published and circulated to all members and officers of the Board. Copies will be available from the Board's office at, Town House, Castle Street, Aberdeen, AB10 1AQ. This will allow for feedback and comment as part of the ongoing review of the Scheme. Translations will be made available by arrangement when required.

8: TRAINING

- 8.1 The Board is required to have and identify arrangements for training staff in relation to their duties to promote racial equality and ensure equality of opportunity. The Board is committed to ensuring that its support staff receive adequate training in these areas.
- 8.2 As indicated in the Introduction, the staff of the Licensing Board are employees of the City of Aberdeen Council and the appropriate training will be delivered as part of the Council's RES. As part of Legal and Democratic Services Department, awareness will be increased with features on Equality Forum activity, equalities issues and changes in legislation through articles in internal publications.
- 8.3 *Additionally the Board considers that its own members should receive training in its duties to promote racial equality and ensure equality of opportunity. Equalities awareness will be included in training for members of the Board appointed in May 2003 but as members of the Council there will also be training through the Council's RES which contains a commitment to the training of Chief Officers and elected members.*

9: DURATION AND REVIEW

- 9.1 The scheme is intended to cover the period from 30 November 2002 to 30 November 2005 and will be subject to review at the end of that period.

RACE EQUALITY SCHEME ACTION PLAN

	What we will do:	When will we do it:		
		2003	2004	2005
The Race Equality Scheme	<ul style="list-style-type: none"> Review 	✓		✓
Monitoring	<ul style="list-style-type: none"> The implementation of a voluntary ethnic monitoring scheme covering applicants for licence. Consideration will be given to extending this monitoring to complaints processed by the Board. 			
The Board's Functions	<ul style="list-style-type: none"> The Board will conduct an audit of all existing policies to ensure compliance with the Council's Access to Information Guidelines 	✓		

Consultation	<ul style="list-style-type: none">• The Board will require all reports presented to it proposing policies that have any significant relevance to race equality to include details of: An assessment of the impact of the proposed policy on race equality; Any consultation carried out in conjunction with that assessment; Any action (including monitoring, where appropriate) proposed in consequence of that assessment and consultation	✓		
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Publicity	<ul style="list-style-type: none"> • As part of the review process the Board will consider whether further publicity (including publicity in relation to the Scheme itself) is required. • The Licensing Board will use its consultation process to determine what action if any is required to develop public awareness. • The Scheme will be published and circulated to all members and officers of the Board. Copies will be available from the Board's office at Town House, Castle Street, Aberdeen, AB10 1AQ. Translations will be made available by arrangement. 	 ✓ ✓	 ✓	 ✓ ✓