

<b>AssessmentNo</b>	732	<b>Owner</b>	michael.mcdougall
<b>Resource</b>	Transformation		<b>Service/Establishment</b> Regulatory
	First Name	Surname	<b>Job title</b>
<b>Head Officer</b>	Michael	McDougall	Section Head (Licensing)
	(include job titles/organisation)		
<b>Members</b>	Michael McDougall, as above Peter Clyde, LSO Lawrence Knighton, LSO		
	<i>(Please note: the word 'policy' is used as shorthand for strategy policy function or financial decision)</i>		
<b>Policy Title</b>	Licensing Board's Assessment of Overprovision		
	<b>The aim, objective, purpose and intended out come of policy</b>		
	The Licensing Board is required to assess the extent to which the Board considers there to be overprovision of: (a) licensed premises, or (b) licensed premises of a particular description, in any locality within the Board's area. This policy is to promote the five licensing objectives contained with the Licensing (Scotland) Act 2005. An overprovision policy looks to tackle alcohol related health harms and public disorder. Should the Board find that an area is overprovided for then a rebuttable presumption against the grant of a licence will exist.		
	<b>Service/Partners/Stakeholders/service users involved in the development and/or implementation of policy.</b>		
	The development of the policy is in two stages: (1) pre-consultation; and (2) public consultation. The pre-consultation engaged a range of stakeholders and gathered information from a range of sources including health and police partners. The public consultation will take place over the summer. The policy will impact on the licensed trade and residents of West Dunbartonshire.		
<b>Does the proposals involve the procurement of any goods or services?</b>		<b>Yes</b>	
<b>If yes please confirm that you have contacted our procurement services to discuss your requirements.</b>		<b>No</b>	
<b>SCREENING</b>			
<i>You must indicate if there is any relevance to the four areas</i>			
<b>Duty to eliminate discrimination (E), advance equal opportunities (A) or foster good relations (F)</b>		<b>Yes</b>	
<b>Relevance to Human Rights (HR)</b>		<b>Yes</b>	
<b>Relevance to Health Impacts (H)</b>		<b>Yes</b>	
<b>Relevance to Social Economic Impacts (SE)</b>		<b>Yes</b>	
<b>Who will be affected by this policy?</b>			
Should the Licensing Board find overprovision in a locality then a rebuttable presumption against the grant of the licence will be introduced for certain types of premises, i.e. there will be an onus on the applicant to show why the application will not prejudice the licensing objectives. This will therefore impact on the residents of that locality through restricting the grant of licensed premises and also the licensed trade.			
<b>Who will be/has been involved in the consultation process?</b>			
The development of the policy is in two stages: (1) pre-consultation; and (2) public consultation. The pre-consultation engaged a range of stakeholders and gathered information from a range of sources including health and police partners. The public			

consultation will take place over the summer. This will consult widely with community groups, local residents, and the trade as well as police and health partners.

**Please outline any particular need/barriers which equality groups may have in relation to this policy list evidence you are using to support this and whether there is any negative impact on particular groups.**

	<b>Needs</b>	<b>Evidence</b>	<b>Impact</b>
<b>Age</b>	Age related factors need to be taken into account	there are signs of increasing harms from alcohol and drugs among younger people, with the emergence of a particularly strong trend for drug-related hospitalisations and deaths;	Consultation will be designed to explore these elements to inform the statement
<b>Cross Cutting</b>	It Important to examine how different elements cross cut	44% of violent crime is alcohol-related.(from Scottish Crime and Justice Survey 2019/20).	Consultation will be designed to reach as heterogenous a range of groups and people as possible
<b>Disability</b>			
<b>Social &amp; Economic Impact</b>	The grant of a licence may allow a new business to open or the grant of a variation may allow a business to expand. This may introduce jobs to the local area. Further, new businesses may contribute to the regeneration of an area. Conversely people living in more deprived areas experience greater levels of alcohol related harm.	Evidence gathered tells the Board that West Dunbartonshire has the fourth highest (in Scotland) local share of the most deprived SIMD (Scottish Index of Multiple Deprivation) datazones. The Board also notes that the consultation response says that "the association between alcohol and deprivation is complex". The licensed trade has made submissions highlighting the important role of convenience shops in the local communities and highlighting the importance of regeneration and	The Board will have regard to these matters when determining whether overprovision exists in the localities consulted on.

		employment opportunities.	
<b>Sex</b>	Sex related factors need to be taken into account	Evidence received by the Board shows that male drinker's consumption considerably higher at 14.1 units compared to 8.6 units for females. Also "The female alcohol specific death rate in West Dunbartonshire has been consistently higher than the national rate Males have generally tended to make up around two thirds of alcohol specific deaths in Scotland in recent years in the under Age group there are more alcohol related admissions from females than males	Consultation will be designed to explore these elements to inform the statement
<b>Gender Reassign</b>			
<b>Health</b>	The Licensing Board must promote the licensing objective of protecting and protecting public health. Alcohol can be harmful to communities in various ways. Availability of alcohol can adversely impact on the health of those who live in the community. It can contribute towards crime and disorder.	Extensive and robust evidence as to the health harms caused by alcohol was received during the Board's policy consultation. West Dunbartonshire suffers from high levels of alcohol related health harms. West Dunbartonshire has the fourth highest (in Scotland) local share of the most deprived SIMD (Scottish Index of Multiple Deprivation) datazones. • The rate of alcohol-related hospital admissions in West	The Board through its assessment of overprovision will identify those localities where there is a causal link between the health harms and the licensed premises. The Board has in the past taken into account where a licensed premises will create employment opportunities when considering whether to grant applications in an area of overprovision (having regard to evidence around the positive health benefits that

		<p>Dunbartonshire is higher than the Scottish average. • In 2021, 40 alcohol specific deaths were recorded in West Dunbartonshire. This is the highest number of alcohol specific deaths in the time period from 2010. Alcohol specific death rates for West Dunbartonshire remain higher than for Scotland as a whole and are rising for both males and females. • Rates of alcohol related mental health hospital admissions are higher than the Scottish average and have consistently been higher for the available time period (2013-2022) Police Scotland presented information showing levels of alcohol related crime. Further, information was received from the licensed trade to suggest that licensed premises can bring benefits to local areas through the availability of fresh fruit and vegetables as well as the employment of local people. The Board is aware that of research noting that unemployment is associated with a substantially increased risk of death.</p>	employment brings).
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<b>Human Rights</b>	An applicant for a licence to sell alcohol at a premises benefits from the right to a fair hearing and to the peaceful enjoyment of his possessions.	Responses to the pre-consultation expressed concern from businesses around the difficulty in securing a licence and the impact on business.	The overprovision policy gives applicants advance warning that there is a rebuttable presumption against the grant of the licence and that the onus will be on the applicant to demonstrate that the application is not inconsistent with the licensing objectives. This prior notification will help applicants avoid abortive costs in pursuing applications contrary to the policy.
<b>Marriage &amp; Civil Partnership</b>			
<b>Pregnancy &amp; Maternity</b>			
<b>Race</b>			
<b>Religion and Belief</b>			
<b>Sexual Orientation</b>			
<b>Actions</b>			
<b>Policy has a negative impact on an equality group, but is still to be implemented, please provide justification for this.</b>			
<b>Will the impact of the policy be monitored and reported on an ongoing bases?</b>			
Yes - the Board will monitor the assessment of overprovision and will ask the Licensing Forum to provide regular update reports.			
<b>Q7 What is your recommendation for this policy?</b>			
<b>Please provide a meaningful summary of how you have reached the recommendation</b>			
EIA 732: The Licensing Board's Overprovision Assessment is an important tool in mitigating the health harms and anti-social behaviour caused by alcohol (where it can be shown that there is a link between these factors). The Overprovision Assessment is based on evidence provided by Police and NHS as well as taking into account the views of a wide range of stakeholders. The Assessment will be subject to statutory consultation prior to finalising. The impact assessment will be updated after consultation.			