

# Getting the Measure

Evaluating the implementation of, and compliance with, the Licensing (Scotland) Act 2005

National Licensing Conference  
10 September 2009



#NHSHealthScotland

## Getting the Measure Introduction (1)

- The evaluation of the Licensing (Scotland) Act 2005 is about to be commissioned
- The three-year study will be funded by the Scottish Government and Project Managed by NHS Health Scotland



#NHSHealthScotland

## Introduction (2)

Aim today is:

- To describe the context of the evaluation
- To describe the focus of the evaluation
- To set out the anticipated approach



#NHSHealthScotland

## Context

- The Licensing Act is one of a number of actions introduced by the Scottish Government to address the growing scale and burden of alcohol related harms, including:
- Changing Scotland's Relationship with Alcohol: A Framework for Action
- The Criminal Justice and Licensing (Scotland) Bill
- A proposed Alcohol Bill



#NHSHealthScotland

## MERGA

- To assess the impact of the new strategy and legislative changes a Monitoring and Evaluation Reference Group for Alcohol (MERGA) was established
- Led by NHS Health Scotland
- Developed a portfolio of monitoring systems and evaluation studies
- The evaluation of the Licensing Act is one of the studies in this portfolio



#NHSHealthScotland

## Evaluating the implementation of, and compliance with, the Licensing (Scotland) Act 2005

- The focus of the evaluation will be on the extent to which the Act is being implemented as intended and in a way that could contribute to reducing alcohol related harms
- The emphasis will be on assessing the likely impact of implementation on the availability of alcohol



#NHSHealthScotland

### Licensing (Scotland) Act 2005: Requirements of interest (1)

The requirements in the legislation of interest to the evaluation include:

- The key actions aimed at controlling the availability, price or serving environment, including, for example:
  - capacity and over-provision assessments
  - test purchasing



#NHSHealthScotland

### Licensing (Scotland) Act 2005: Requirements of interest (2)

- Actions intended to improve licensing decisions, transparency and adherence to the Act, including, for example:
  - Licensing Board policy statements
  - the role of Licensing Standards Officers
  - the role of the Licensing Forums



#NHSHealthScotland

### Evaluation of the Licensing Act Five aims

1. To describe the implementation of, and compliance with, the relevant requirements of the Licensing Act
2. Assess the effectiveness of implementation and compliance in controlling the availability of alcohol
3. Assess the factors that facilitate or act as barriers to effective implementation and compliance
4. To generate learning to support further improvement in implementation
5. To contribute to the findings from the portfolio of studies developed by MERGA



#NHSHealthScotland

### Eight evaluation objectives (1)

1. To monitor changes in the numbers of licences applied for, and assess trends in capacity and licensed hours
2. To monitor compliance with the relevant requirements of the Act and actions taken in response to breaches
3. To obtain an understanding of the numbers, departmental bases, roles and activities of LSOs and the implications for implementation and compliance
4. To assess how Boards are addressing the five objectives in their policy statements



#NHSHealthScotland

### Evaluation objectives (2)

5. To examine how Boards are interpreting and applying the key requirements of the Act including capacity and overprovision
6. To analyse the membership, roles, operation and impact of the Local Licensing Forums
7. To review the implementation of test purchasing
8. To generate learning to further improve implementation and compliance



#NHSHealthScotland

### Proposed approach to the evaluation (1)

#### Combination of methods

1. Quantitative analysis of routinely collected national and local level monitoring data, for example:
  - The numbers and distribution of LSOs
  - Patterns in personal and premises license applications granted, refused and suspended
  - Offences under the Act



#NHSHealthScotland

## Proposed approach to the evaluation (2)

2. 'Bespoke' Scotland-wide surveys, for example of:

- Clerks/Convenors of Boards
- Analysis of Local Board policy statements



#myhealthscotland

## Proposed approach to the evaluation (3)

3. Case studies of a sample of 4 – 6 Licensing Board areas with a view to:

- Analysing the roles, relationships, actions, interactions and impacts of the LSOs, Boards and Forums
- Exploring the interpretation, application and implications of the relevant requirements of the Act
- Identifying the facilitating factors and barriers to implementation and compliance



#myhealthscotland

## Next steps for the evaluation

- Commissioning the research team
- Potential to extend the scope of the evaluation to include relevant provisions from the proposed Alcohol Bill when enacted



#myhealthscotland

## Feeding back

- To ensure that the findings inform on-going learning, implementation and practice they will be fed back to national and local levels as they emerge
- The evaluation will also contribute to an understanding of the combined effects of the different Scottish Government initiatives to tackle alcohol related harms



#myhealthscotland

## Contact Details

Fiona Myers  
Public Health Adviser  
NHS Health Scotland  
[Fiona.Myers@health.scot.nhs.uk](mailto:Fiona.Myers@health.scot.nhs.uk)  
0131 313 7578



#myhealthscotland