



Equality Impact Assessment

Title:	Statement of Principles under the Gambling Act 2005	
Version:	1.0	
Date of draft:	22 July 2016	
Date approved by Equalities Group	15.9.16	

Section 1A: Overview

Name of Policy, Procedure, Practice, Strategy or Service:	Statement of Principles under the Gambling Act 2005
Service, Group, Team:	Licensing
Equality Assessment Lead Officer:	Carolyn Singleton
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1B: Please state the intended outcomes of the policy	How will you know these have been achieved? <i>What performance monitoring is in place?</i>
<p>Licensing Authorities are required by the Gambling Act 2005 to publish a Statement of Principles that they propose to apply when exercising their functions under the 2005 Act. The Statement must be published at least every three years and can be reviewed from “time to time” with any amended parts re-consulted upon.</p> <p>The 2016- 2019 Statement was consulted on between 12th October and 14th December 2015 and it came into effect on the 31 January 2016.</p> <p>The objective of the Statement of Principles is to inform interested parties of the principles it proposes to apply when exercising its functions under the Gambling Act 2005. The authority must have regard to the licensing objectives as set out in section 1 of the Act i.e.</p> <ul style="list-style-type: none"> • Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. • Ensuring that gambling is conducted in a fair and open way. • Protecting children and other vulnerable persons from being harmed or exploited by gambling. <p>The Licensing Authority aims to permit the use of premises for gambling:</p> <ul style="list-style-type: none"> • In accordance with any relevant code of practice issued by the Gambling Commission. • In accordance with any relevant guidance issued by the Gambling Commission. • Reasonably consistent with the licensing objectives and; • In accordance with the Authority’s Statement of Licensing Principles. 	<p>Performance is measured through:</p> <ul style="list-style-type: none"> • Applications are dealt with during the statutory procedures and time frames. • Complaints are followed up to ensure compliance. • Proactive compliance visits are undertaken at licensed premises to ensure compliance with legislation and codes of practice • Statistics are collated and returns are annually sent to the Gambling Commission

Section 2A: The policy. How will the policy/plan/strategy impact on residents, visitors, businesses or other agencies that we work with? *What work has been undertaken to advise these groups about the changes planned in the policy/plan/strategy?*

Direct recipients of the Statement are:

- Operators/ Managers of all premises with AWP Machines (i.e Public Houses and Clubs)
- Operators/ Managers of all licensed Betting Offices
- Operators/ Managers of all licensed bingo halls
- Operators/ Managers of all registered Society Lotteries
- Members of Licensing Sub Committee

Indirect recipients of the Statement are all residents and those who visit the area to use the above premises

There are 16 licensed gambling premises within the borough these currently consist of one bingo premises, four adult gaming centres and 11 betting premises. These are located in the commercial areas of Ilkeston and Long Eaton with one betting premises in the commercial area of Sandiacre.

The Gambling Statement of Principles has scope to advance equality by promoting good relations. The Statement supports a culture of openness where appropriate information can be accessed by all parties, hearings are generally held in public and enforcement is in line with the principles promoted within the Enforcement Concordat. Partnership working and exchange of information (within legal constraints) is also supported by the Statement. In this way we hope to promote understanding between those providing gambling opportunities and those potentially affected by them. As with applications under other laws such as the Licensing Act 2003, we will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible.

2B: What needs is the policy/service designed to meet? *You could also refer to your current Service Plans and how the policy/service fits into EBC's Corporate Plan Priorities. How does the policy, procedure, practice, strategy or service align with Corporate Priorities*

The Statement will support the Corporate Plan priorities in that it will provide:

- A clean, safe and welcoming borough by preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Deliver efficient and effective services that residents need by providing help and advice in partnership targeting those most in need and vulnerable, i.e. protecting children and other vulnerable persons from being harmed or exploited by gambling.

2C: Is the service provided subject to any element of outsourcing? *Is the service delivered in part, or in its entirety by an outside company or organisation? If challenged about a service delivered on our behalf you must show that the organisation meets the expectations with regard to equalities in its customer service and recruitment and retention of staff.*

No

Section 3A: Gathering Information

What equality monitoring information do you gather and how is this information used to develop services, functions and policies at the current time. *You could look at the take up of services, customer satisfaction (complaints and compliments) and enforcement action.*

- Equality monitoring forms and prepaid envelopes are distributed at compliance checks

- CCC process.
- Compliance checks with preprepared inspection sheets tailored to the type of premises, to ensure compliance with 2005 Act and Gambling Commissions Licence Conditions and Codes of Practice and Social Responsibility Code Provisions.
- From April 2016 the gambling industry must conduct local risk assessments for their premises to demonstrate that they understand local issues and to show what measures they propose to introduce to mitigate against the risk of harm to children and vulnerable persons . Gambling Commission’s Licensing Conditions and Codes of Practice responsibility code provision 10.1.1
- vulnerable people should be protected from harm. Who ‘vulnerable people’ are or the ways in which they may be vulnerable is not defined by the 2005 Act, though the Gambling Commission states that for regulatory purposes this is likely to include: *“people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.”* (GC, 2012)

3B: What does available data and the results of any consultations show about the take up of services? What is the impact on different groups? (qualitative and quantitative). *You could look at previous community consultation exercises, customer reviews, census data, staff feedback etc.*

Remember: by law you are required to be able to demonstrate, through data analysis and evidence, that you have considered the impact of your service on **ALL** of the relevant protected groups. This document is just a short summary of this process and a tool to help you to check that you have taken the Equality Act 2010 and the Council’s equality objectives into consideration.

The main aim and objective of the Statement is to ensure all gambling premises licence applications received are treated fairly and in a consistent manner. The Statement reflects the needs of the Erewash community in relation to promoting the licensing objectives under the Gambling Act 2005 and it is consistent with the Gambling Commission latest issued Guidance. It provides advice and information to all about how the Council will enforce, administer and make decisions under the Act.

The Licensing Authority consulted the following bodies and organisations. A full list of consultees can be provided on request:

- Police and other Responsible Authorities
- Social Services
- Parish Councils
- Members of the Borough Council

- Three Valleys Housing/ Housing Associations
- Erewash Partnership
- Chambers of Commerce
- Gambling premises
- Legal representatives
- Local schools
- Adult social care
- Gamble addiction organisations
- The general public were advised of the Draft Statement of Principles and asked to submit comments to the council via the libraries and on the council's website.

The comments reflected that the Statement of Principles clearly outlines all aspects of its approach to the Gambling Act 2005. It is clear and not unnecessarily complicated and it should form a sound basis of understanding for all of those who need to refer to it or act in relation to its content.

In preparing the Statement of Principles licensing authorities are required to:

- Adhere to regulations issued by the Secretary of State under Section 349(4) of the Act;
- Consider guidance issued to licensing authorities by the Gambling Commission;
- Recognise the need to be reasonably consistent with the licensing objectives where applicable.

The policy is prepared by using a Local Government Association template structure allowing the Statement to become more inclusive and provides a greater wealth of information to the service user than was previously available. The Statement was approved by the Licensing & Public Protection Committee on 14 January 2016 and recommended for adoption by Full Council on the 27 January 2016.

The Service is used by those living, working and visiting the borough. The majority of applications received are on behalf of companies such as Ladbrookes, Corals and Gala etc. and not by individuals.

Section 4: Impact Assessment *Here you need to analyse the needs of different groups and the possible impacts the service may have on them. How is the policy or decision likely to affect the **promotion of equality** and the **elimination of discrimination** in **each** of the groups?*

Stake Holder Group	Is this group likely to be affected in a positive way?	In what way will they be affected?	Is this group likely to be affected in a negative way?	In what way will they be affected?
Age (older people, young people)	Yes	<p>Under 18's are precluded from entry to these premises to protect them from harm. An offence to invite, cause or permit a person under 18 to gamble and offences to work in a gambling environment.</p> <p>From the 31st July 2009, slot machines are no longer permitted in cafes or takeaways. This is a direct result of the Governments attempts to address underage gambling concerns.</p> <p>As a result of the 2013-16 Statement of Licensing Principles schools were consulted on the 2016-19 Statement. However no responses were received from these establishments.</p> <p>Under 18 notices and other age related policies will demonstrate age verification and this will be checked on compliance checks.</p>	No	<p>Young people are more likely to be impacted by on-line gambling and concern has been raised about the link between gaming and gambling, where gambling style games allow you to win on line (Young Gamblers Education Trust). This type of gambling is not covered by the Statement of Principles.</p>
People with Disabilities (Both physical and mental impairments)	Yes	<p>During inspections Officers will refer any relevant details to planning if it is suspected there may be accessibility issues or lack of planning permission.</p>	Yes	<p>In some licence premises it may be necessary for reasons of public safety that have the effect of excluding disabled customers from certain premises. For example, licence conditions may prevent</p>

		It is identified that this characteristic may be vulnerable in a gambling environment and this is factored into the Gambling Commission's Social Responsibility Code Provisions and compliance checks will ensure policies and risk assessments recognise this fact.		<p>non-ambulant people from entering first floor premises unless an adequate means of escape exist.</p> <p>However, this should be mitigated by the duty placed on premises owners to make reasonable adjustments to premises to accommodate disabled visitors.</p>
Gender (Women, Men, Transgender, Transsexuals)	No	Gender is not identified as a factor in the Statement of Principles however it has been identified that bookmakers will predominantly attract male customers and bingo halls predominantly attract female customers.	No	
Race (Black, Asian, Minority Ethnic groups. Include people whose first language is not English)	No	Race would have a neutral impact on the Statement of Principles	No	<p>Problem gambling is more prevalent in men and younger age groups and significantly associated with being of Asian/ Asian British or Black/Black British origin. This would have no impact on the Licensing Statement of Principles and the premises licence application process but would have a factor and scope within a licensed premises Local risk assessment if the premises was situated in an area resided mainly by these groups. Operators would be bound by the Gambling Commission's Licence Conditions and codes of practice and social responsibility code provisions.</p> <p>Link to the Gambling Commission website site:- http://www.gamblingcommission.gov.uk/P</p>

				ublications-consultations/LCCP.aspx
Sexual Orientation	No	Sexual Orientation would have a neutral impact on the Statement of Principles	No	
Religion and belief	No	Religion and belief would have a neutral impact on the Statement of Principles	No	There is a right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005. The Gambling Commission's Guidance is that charities and faith groups can be "interested persons" able to make a representation or objection to a licence application. However moral objections are not a valid reason to reject applications for a premises licence.
Dignity, Human Rights and Socio-economic disadvantage	No	Dignity, Human Rights and Socio-economic disadvantage would have a neutral impact on the Statement of Principles and the licensing process. However premises would have to consider how they can protect vulnerable persons living within the poorest socio- economic areas within its Local area risk assessment.	No	In the British Gambling Prevalence Survey 2010 high time gamblers were recognised to spend more time gambling (compared with all regular gamblers) if they live in the lowest income households (53%), and to have no educational qualifications (35%). They were less likely to be in paid work (40%) and more likely to be unemployed (7%). This group therefore consisted disproportionately of those with the poorest socio-economic indicators. 60% of this group was not in paid employment and 27% were retired, this group includes those who have more time available to gamble, but less money to spend gambling. http://www.gamblingcommission.gov.uk/pdf/british%20gambling%20prevalence%2

				0survey%202010.pdf
Marriage and Civil partnerships	No	Marriage and Civil Partnerships would have a neutral impact on the Statement of Principles	No	
Pregnancy and maternity/paternity	No	Pregnancy and maternity/paternity would have a neutral impact on the Statement of Principles	No	

Section 5A: Actions How will you monitor the ongoing effect of the policy/strategy/plan?	When will this be undertaken?	Expected outcomes / performance measures	Which Corporate Plan aim will this action meet?
No gap identified with regards to equalities and diversity and the Statement of Licensing Principles under the Gambling Act 2005.	Continued engagement with the trade to ensure Local area risk assessments are undertaken and these are suitable. Equality monitoring forms will be distributed in these instances	Premises will be compliant with the Gambling Act 2005, Gambling Commissions Licence Conditions and codes of practice and social responsibility code provisions and the council's Statement of Licensing Principles.	Corporate Plan 3.2.3

5B: If you have identified any negative impacts on any of the groups in section 4 how will you mitigate the effect?					
Negative impact	Action required to mitigate any potential negative impact	Outcome / performance measure	Lead Officer – who will the monitoring of this action be	Date that the monitoring will be undertaken, how often will it be done?	Which of the current Equality Objectives does this action

			reported to?		meet? (State number *)
No gap identified with regards to equalities and diversity and the Statement of Licensing Principles under the Gambling Act 2005	Will ensure premises are considering their own impact on vulnerable persons such as persons with disabilities or with gambling addictions	Continued engagement with the trade to ensure Local area risk assessments are undertaken and these are suitable. Equality monitoring forms will be distributed in these instances	C SINGLETON	Ongoing	Objective 1 and Objective 2

*The objectives are:

1. **Provide a welcoming and safe place for our communities, visitors and businesses which embraces equality and is free from discrimination.**
2. **Provide relevant services that are free from discrimination and delivered in a way that is responsive and accessible.**
3. **Understand and value the diversity of our communities through community engagement**
4. **Foster an accessible and inclusive working environment for all our staff and strive to achieve a workforce that is representative and diverse.**