

Equality Impact Assessment

**Gambling Act Statement of
Principles**

- **Background**

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

- **Legislation- Equality Duty**

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to

- ✓ Eliminate discrimination, harassment, and victimisation.
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

- ✓ Age
- ✓ Disability
- ✓ Gender reassignment
- ✓ Marriage and civil partnership
- ✓ Pregnancy and maternity
- ✓ Race
- ✓ Religion and belief
- ✓ Sex (Gender)
- ✓ Sexual orientation

What is prohibited?

- ✓ Direct Discrimination
- ✓ Indirect Discrimination
- ✓ Harassment
- ✓ Victimisation
- ✓ Discrimination by association
- ✓ Discrimination by perception
- ✓ Pregnancy and maternity discrimination
- ✓ Discrimination arising from disability
- ✓ Failing to make reasonable adjustments

Complete this action plan as you go through the questions

- **Step 1 – Introductory information**

Title of the policy	Gambling Statement of Principles
Lead officer and others undertaking this assessment	Grace Dowson, Licensing Manager
Date EIA started	15 th August 2021
Date EIA completed	25th August 2021

- **Step 2 – Overview of policy/function being assessed**

Outline: What is the purpose of this policy? (Specify aims and objectives)

S349 of the Gambling Act 2005 requires Licensing Authorities to prepare and publish a statement of Licensing principles, reviewed three yearly, that they intend to apply in exercising their functions under the Act. The Statement forms the licensing authorities mandate for managing local gambling provision and sets out what the licensing authority will take into consideration in issuing relevant Licences and therefore its expectation in relation to premises within their area.

What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?

The policy statement acts as the main vehicle for setting out the Licensing authorities' approach to regulation having taken into account local circumstance. It aims to control operators of licensed premises within the local area to help protect the community, i.e., children and relevant vulnerable groups, and to guide these Operators as to how the Council wishes them to run their premises.

The licensing objectives are set out in the Act and are:

- 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.

Which groups have been consulted as part of the creation or review of the policy?

- The Statement of Principles is to be considered by the Licensing Committee on the 15th September 2021 and the consultation will take place after this date for 4 weeks. This is proposed to take place between the 24th September to 22nd October. The Act requires licensing to consult with the police for the authorities area, one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authorities area and one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authorities functions under the Act. Charnwood consult with those bodies listed in Appendix A of the Statement of Principles; Association of British Bookmakers, British Amusement Catering Association, British Casino Association, Bingo Association, British Greyhound Racing Board, Chief Officer of Police, Club & Institute Union, Gamcare, Gamblers Anonymous, Help The Aged, Existing Holders of, permits and registrations who will be affected by the provisions of the Act, Lotteries Council, Responsible Authorities - HM Revenue and Customs, Gambling Commission, Police, The Fire Authority, Planning Department, Environment Health Department (Environmental protection), Occupational Health and Welfare Department, Responsibility in Gambling Trust, Leicestershire County Council – Trading Standards, Education and Public Health, East Midlands Chamber (Leicestershire Office), Federation of Small Business, and the Loughborough Chamber of Trade and Commerce.

- **Step 3 – What we already know and where there are gaps**

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

The previous Statement of Policy was approved by the Council in January 2019 for a 3-year period. The Licensing Service has issued relevant Licences, undertaken enforcement checks and responded to complaints during this period. No significant risks have been identified which will impact on the development of this new Policy Statement.

What does this information / data tell you about diverse group? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

The current Licensing Database system is being updated and will be used to monitor relevant complaints regarding Licensed Premises. This will include any specific complaints made by relevant vulnerable groups and protected characteristics

• **Step 4 – Do we need to seek the views of others? If so, who?**

Considering the answers given in Step 2, do you need to consult with specific groups to identify needs / issues? If not explain why.

The Gambling ACT 2005 specifically sets that the consultees should consult with the police for the authorities area, one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authorities area and one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authorities functions under the Act.

• **Step 5 – Assessing the impact**

Considering any data/consultation/information and your own knowledge, identify whether the policy has a positive or negative impact on the individuals or community groups who identify with any 'protected characteristics' and provide an explanation for your decision. Please refer to the general duties on the front page.

Age

Positive impact - there are limitations on the age when a person can gamble, and the policy has elements for the protection of children and young persons. Rules and regulations are clearly communicated to all licensees through the policy and advice is readily available to the public and the licensees.

New premises are required to do a risk assessment as to the local area and this would reflect policies, they would put in place to protect school children if they wished to open near a school. New premises to open also require planning permission.

<p>Disability</p> <ul style="list-style-type: none"> • Physical • Visual • Hearing • learning disabilities • mental health 	<p>Responsible and transparent licensing policies, both for the premises licensed by the local authority and the operator, licensed by the Gambling Commissions, make a contribution to ensuring that venues and staff of those venues are aware of vulnerable groups watchable for excessive gambling.</p> <p>Applicants will be expected to propose steps to ensure that the physical layout of the premises does not present any risks to 'vulnerable' people, some of whom may be disabled.</p> <p>During inspections, officers will refer any relevant details to planning if it is suspected there may be accessibility issues or a lack of planning permission.</p>
Gender Reassignment (Transgender)	Neutral impact identified
Race	Neutral impact identified
Religion or Belief (Includes no belief)	Neutral impact identified
Sex (Gender)	Neutral impact identified
Sexual Orientation	Neutral impact identified
<p>Other protected groups</p> <ul style="list-style-type: none"> • Pregnancy & maternity • Marriage & civil partnership 	Neutral impact identified
<p>Other socially excluded groups</p> <ul style="list-style-type: none"> • Carers • Low literacy • Priority neighbourhoods • Health inequalities • Rural isolation • Asylum seeker and refugee communities 	Responsible and transparent licensing policies, both for the premises licensed by the local authority and the operator, licensed by the Gambling Commissions, make a contribution to ensuring that venues and staff of those venues are aware of vulnerable groups watchable for excessive gambling.

<p>Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.</p> <ul style="list-style-type: none"> • If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately. • Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.
<p>The evidence assessed as part of the Equality Impact Assessment does not raise any negative impacts on protected characteristics in Charnwood. If any negative impacts on a person or group of people with protected characteristics becomes apparent this will be addressed at the earliest opportunity and this document will be amended to reflect this change.</p>
<p>Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).</p>

The proposed Statement of Principles, to be issued under the Gambling Act 2005, will outline how Charnwood will implement the relevant provisions for the Licensing of premises within the Borough. This is in line with national Guidance issued by the Gambling Commission, which is designed to protect vulnerable groups from harm. With relevant enforcement and monitoring this will assist in the protection of harm and will be in line with the Council's Equality & Diversity Policy.

● **Step 6- Monitoring, evaluation, review**

Are there processes in place to review the findings of this Assessment and make appropriate changes? How will you monitor potential barriers and any positive/ negative impact?

The Statement of Principles is used as the basis for the licensing of premises within the local area covered by Charnwood Borough Council and compliance visits will be carried out where complaints are received, along with annual compliance visits. These visits will assist the Licensing section to gain information and potentially review Statement as and when required.

How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.

The Licensing Committee of the Council are provided with a 6 monthly update report on the work undertaken by the Licensing Service, which will include the number of Premises Licences approved, complaints received and also the risk-based enforcement inspections undertaken at Gambling Premises, which are the responsibility of the Council.

● **Step 7- Action Plan**

Please include any identified concerns/actions/issues in this action plan. The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan


Reference Number	Action	Responsible Officer	Target Date
001	Continue to monitor specific complaints (via the Licensing Database System) to remove any potential barriers or negative impacts. Report findings to be shared with the Licensing Committee of the Council, as appropriate.	Licensing Manager	Ongoing

● **Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?**

	Who needs to know?	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	
Service users	✓	

Partners and stakeholders	✓	This EIA will be published on the website for transparency purposes and for all stakeholders to view as appropriate
Others		
To ensure ease of access, what other communication needs/concerns are there?		

- **Step 9- Conclusion (to be completed and signed by the **Service Head**)**

Delete as appropriate
I agree with this assessment
I disagree with this assessment
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales below.
Signed (Service Head): 
Date: 3 rd September 2021

Please send completed & signed assessment to **Vicky Brackenbury** for publishing.