

Equality Impact Assessment – Gambling Policy 2021-24

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1. Management of the EqIA

The EqIA has been prepared by John Newcombe, Service Manager, Licensing and Community Safety and Aileen Powell, Licensing Team Leader. It has been prepared as part of the policy drafting process prior to circulation of the draft policy for a period of consultation. It will be reviewed directly following the consultation period close and updated with reference to any feedback from consultees which may have a bearing on the assessment. The assessment has been circulated as part of the report clearance process and updated accordingly.

2. Identification of policy aims, objectives and purpose

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.

The 2024-2027 Statement will be circulated for consultation for a minimum period of 4 weeks.

The objective of the Statement of Principles is to inform interested parties of the principles the licensing authority 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:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- Ensuring gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing authority aims to permit the use of premises for gambling:

- In accordance with any relevant Code of Practice issued by the Gambling Commission.
- In accordance with any guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives
- In accordance with the Authority’s Statement of Licensing Principles.

3. Scope / focus of the EqIA

The Equalities Impact Assessment has attempted to assess the likely impact of the revised policy on persons living, visiting and working within District.

There are 56 licensed gambling premises within the district; these currently consist of 5 bingo premises, 26 adult gaming centres and 25 betting shops. These are located across the District with concentrations in certain areas.

The Gambling Statement of Principles has scope to advance equality by promoting good relations and reduce inequality/protect vulnerable persons. 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.

From April 2016 gambling operators 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)

The Gambling Commission's Licence Conditions and Codes of Practice and Social Responsibility Code Provisions state that licensees must review (and update as necessary) their local risk assessments:

- a. to take account of significant changes in local circumstance, including those identified in this policy;
- b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c. when applying for a variation of a premises licence;
and
- d. in any case, undertake a local risk assessment when applying for a new premises licence.

The council will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools.
- The commercial environment.
- Factors affecting the footfall.
- Whether the premises is in an area of deprivation.
- Whether the premises is in an area subject to high levels of crime and/or disorder.
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups.
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship.

The local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of information regarding self-exclusion and gaming trends.

- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information,
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council one stop shops, addiction clinics or help centres, places where alcohol or drug dependent people may congregate etc.

The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of places where children congregate such as bus stops, cafes, shops etc.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

Other matters that the risk assessment may include:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

The policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

The following identifies how specific groups may be affected by the revised policy;

Class or socio- economic disadvantage

Low (positive impact)

Deprivation has a significant impact on health and wellbeing. The Dorset Council areas of deprivation are largely located in the most urban areas - in particular the former borough of Weymouth & Portland - but many of Dorset's rural communities could also be considered deprived in terms of barriers to housing and essential services.

English Indices of Deprivation (2015), DCLG show

12,900 households are workless

There are ten areas (out of a total of 219) in Dorset within the top 20% most deprived nationally for multiple deprivation, down from 12 in 2010. Nine of these are within the former borough of Weymouth and Portland, one is in the former West Dorset District area.

46% of Dorset's population lives in rural areas. Barriers to housing and essential services are significant in Dorset reflecting rurality and distance from services. 66 Dorset neighbourhoods fall in the 20% most deprived nationally for this measure: in the former council areas, 21 are in West Dorset and 20 in North Dorset.

Seven neighbourhoods in Dorset fall into the top 20% nationally for income deprivation (up from five in 2010) - seven of these are in the former borough of Weymouth and Portland

Weymouth and Portland residence based weekly earnings are £503 per week compared with £571 in Great Britain (Annual Survey of Hours and Earnings (2018), ONS (full time gross weekly earnings))

Statistics for the Gambling Commission contained within the NatCen "Gambling behavior in Great Britain" show that adults in employment or training were most likely to have gambled in the past 12 months, with almost two thirds (63%) having spent money on any gambling activity. Over half of retirees (53%) and those who were unemployed (54%) had gambled in the past year, closely followed by adults who were otherwise economically inactive (49%). Those in full time education had the lowest levels of participation with around a third (32%) having gambled in the past 12 months. Excluding participation in National Lottery draws only, there was a different pattern of participation; in particular, unemployed adults had similar rates of gambling to those in employment or training (45% and 48% respectively). Those in employment were again the most likely group to gamble online, with 13% having done so in the past year. However, around one in ten (9%) full time students and those who were unemployed had gambled online in the past 12 months. Retirees were the least likely group to have gambled online, with 2% having done so. <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf>

Age

Low (positive impact)

There are nearly 59,800 children (0-15) living in Dorset. This represents 15.9% of the total population and is lower than the 19.1% national average. The number of 0-15yr olds is expected to fall slightly over the next 25 years, continuing the trend in place since 2007.

There was also a net loss of 15-19 year olds from Dorset to other parts of the UK, with net gains mostly among those aged 30+

28% of Dorset's population is aged over 65

Over the period 2007-2017, the number aged 65+ grew by 22,500 – up by 27%.

<https://apps.geowessex.com/insights/AreaProfiles/UnitaryAuthority/dorset-council>

Statistics for the Gambling Commission contained within the NatCen "Gambling behavior in Great Britain" show overall, the highest participation rates in any form of gambling activity were among adults aged between 25 and 64 (between 60% and 62%), while the lowest rates were found among the youngest and oldest age groups; 46% of 16 to 24 year olds and 47% of those aged 75 and over had gambled in the past year. <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf>

Actions and objectives are stated in the policy that will help protect vulnerable and young people and it is proposed to consult with head teachers of all schools within the District on the revised Licensing Statement of Principles.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of age.

Disability

Low (positive impact)

According to 2011 Census data, 72,167 Dorset residents had a long-term health problem or disability, this means people whose day-to-day activities are limited a lot or a little by a disability or long term medical condition. <https://apps.geowessex.com/insights/Topics/Topic/Diversity>

In the policy applicants are requested to have regard to the type of people that are likely to visit their premises in their application when identifying the steps they will take to promote the licensing objectives. 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.

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.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of disability.

Pregnancy and maternity

Low (positive impact)

Dorset has a lower number of births than deaths giving a net decline in natural population. <https://apps.geowessex.com/insights/Topics>

It is not however anticipated that the proposed policy will have a negative effect on the grounds of pregnancy and maternity/paternity.

Race

Low (positive impact)

Dorset has much lower levels (4.4%) of Black and Minority ethnic (BME) residents than the country as a whole (19.5%)². The highest proportion of Dorset's BME population are classified as 'White Other' who make up approximately 41% of Dorset's BME population. This classification includes people who identify as white but who do not have UK national identity (English, Welsh Scottish, Northern Irish and British). An example would be Polish. <https://apps.geowessex.com/insights/Topics>

Statistics for the Gambling Commission contained within the NatCen "Gambling behavior in Great Britain" show gambling participation was highest among White adults; six in ten (59%) White adults had gambled in the past 12 months, compared with 46% of Black adults, 45% of adults in other minority ethnic groups and 32% of Asian adults. A similar pattern was evident among those who gambled on activities other than the National Lottery draws only. For online gambling the pattern was slightly different; similar proportions of adults in the White group and other minority ethnic groups had gambled online (both 10%), compared with 5% of Black adults and just 2% of Asian adults. <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf>

The Local Authority has established procedures for engaging with the diverse range of businesses within the Council area. Consultation on the new Statement of Licensing Principles will be undertaken with statutory consultees, including representatives from the business community.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of race.

Religion/belief

Low (positive impact)

2011 census data shows The five major non-Christian world religions Islam, Buddhism, Hinduism, Judaism and Sikhism constitute 1% of Dorset's residents' religious beliefs

Dorset's main non-Christian religious groups are concentrated in Dorset's towns. Weymouth has just over 300 residents of Muslim faith. There are also concentrations around military establishments such as Blandford Camp where the Gurkhas and their families live who are predominantly Hindu in their religious belief. <https://apps.geowessex.com/insights/Topics>

The Local Authority has established procedures for engaging with the diverse range of businesses within the borough.

Consultation on the new Statement of Licensing Policy will be undertaken with statutory consultees, including representatives from the business community.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of race.

Sex (gender)

Low

Statistics for the Gambling Commission contained within the NatCen "Gambling behavior in Great Britain" show overall, men were more likely to participate in most forms of gambling than women. Offline bingo was the only activity where men were less likely to participate than women (3% and 7%, respectively). Men were significantly more likely than women to have used an online bookmaker (13% and 2%, respectively) and to have placed an offline bet on a horse (12% and 7%, respectively) in the past year. Slot machines were also more popular among men than women (8% and 4%, respectively). And men were also more likely to have bet on sports events offline than women, with 9% of men and 1% of women. <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf>

The revised Statement of Principles would have a neutral impact on the protected characteristic of Sex (gender).

Sexual Orientation and Transgender

Low

There is no data available on the spatial distribution of lesbian, gay, bisexual, transgender and transsexual people in the area, and there are no obvious places of congregation of such groups equivalent to those elsewhere in the country. There are 1,866 people are living in a same sex relationship. <https://apps.geowessex.com/insights/Topics>

The revised Statement of Principles would have a neutral impact on the protected characteristic of Sexual Orientation

Rural isolation

Low

46% of Dorset's population lives in rural areas. Barriers to housing and essential services are significant in Dorset reflecting rurality and distance from services. 66 Dorset neighbourhoods fall in

the 20% most deprived nationally for this measure: in the former council areas, 21 are in West Dorset and 20 in North Dorset.

Armed forces background

Low

Research suggests that the rate of Armed Forces veterans with mental health conditions could be as high as 10%, compared to around 3% for the general population (House of Commons Defence Committee, Mental Health and the Armed Forces, Part One: The scale of mental health issues. 11th report 2017 – 19)

The council in partnership with Dorset Armed Forces Covenant Programme is working to ensure that the Armed Forces Community in Dorset has access to the services and assistance it requires.

3. Relevant data, research and consultation

In addition to the data sources contained within the assessment above, all relevant parties and organisations situated and operating within the area will be consulted on the draft policy and any responses will be fully considered by the licensing authority and licensing committee.

This assessment will be updated following the consultation period. The consultation will include;

- A draft Policy available at Libraries, Local Service Centres and the offices of the Licensing Team
- Emails to all Councillors, Mayors, and MPs
- Internal consultation process to relevant officers and Corporate Management Teams
- Public notices in the Dorset Echo
- Public consultation advertised on the Council website
- Letters to Premises licence holders and other interested parties
- Responsible Authorities– including Dorset Police, Wiltshire and Dorset Fire Brigade
- Letters to BCP Council, Wiltshire Council and South Somerset Council
- Letters to all Head teachers of schools and education establishments located within the Area
- Armed forces community
- The Gambling Commission

In order to assist applicants when completing or reviewing their risk assessments, the Council may publish a local area profile. The Council has commissioned a local area profile which is expected to be completed during 2021 and once approved by the Licensing Committee, it will be made available through the licensing team.

The local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profiles will be presented to any subsequent licensing subcommittee when they determine an application that has received representations.

The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

The local area profile will include the following data (where available);

Index	Criteria	Indicator/measure	Data source	Date
People at home	Ethnic groups	Number of residents from Asian/Asian British, Black/African/Caribbean/Black	Census 2011 table KS201UK Ethnic Group	2011
	Unemployment	Number of economically active unemployed residents	Census 2011 table QS601UK Economic Activity	2011
	Youth	Emerging adults and younger children - number of residents aged 10-24 years	Census 2011 table QS103UK Age by single	2011
	Poor mental health	Number of patients recorded on the GP register with schizophrenia, bipolar affective disorder and other psychoses, and other patients on lithium therapy or with depression	Quality Outcomes Framework (QOF)	2018
People away from home	Problem gamblers	Gamblers Anonymous meetings	Gamblers Anonymous UK	2018
		Gamcare locations	Gamcare	2018
	Unemployment	Job centre locations	Department for Work and Pensions	2018
	Youth	Education institutions with students of 13-24 years	Edubase2	2016/2017
	Substance abuse/misuse	Accommodation for persons who require treatment for substance misuse	Care Quality Commission	2018
People at home	Homelessness	Accommodation for vulnerable people/homeless	Local Authority lists	2018
	Poor mental health	Number of resident outpatient attendances to acute hospitals relating to treatment function specialities 710 (adult mental illness), 722 (liaison psychiatry), 723 (psychiatric intensive care)	HSCIC hospital episode statistics via Local Authority Public Health teams	2015/2016
People away from home	Substance abuse/misuse	Drug and alcohol treatment and recovery centres/clinics	Local Authority lists	2018
		Needle exchanges	Local Authority lists	2018
		Accommodation for persons who require treatment for substance	Local Authority lists	2018
		Alcoholics and narcotics anonymous meetings	Alcoholics and narcotics	2018
	Financial difficulties/de	Payday loan shops	Local Authority lists	2018
		Food banks	Local Authority lists	2018

4. Assessment of Impact and outcomes

Protected characteristics	Issues taken from evidence	Judgement (positive / negative)	Recommendations
Class or socio-economic disadvantage	No adverse impact	Low (positive)	N/A
Age	No adverse impact	Low (positive)	N/A
Disability	No adverse impact	Low (positive)	N/A
Pregnancy and maternity	No adverse impact	Low (positive)	N/A
Race	No adverse impact	Low (positive)	N/A
Religion / belief	No adverse impact	Low (positive)	N/A
Sex (gender)	No adverse impact	Low	N/A
Sexual orientation	No adverse impact	Low	N/A
Transgender	No adverse impact	Low	N/A
Rural isolation	No adverse impact	Low	N/A
Armed forces background	No adverse impact	Low	N/A

Equality Impact Assessment Action Plan for [insert name of policy]						
Issues identified and groups affected	Actions to be taken	Timescales of actions	Who is responsible for delivery	Intended outcomes	Performance measures	Reference to service or other plans
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	Draft Policy consultation min. 4 weeks	J Newcombe Licensing Team	Policy Adopted for use	N/A	Corporate Plan Enforcement Policy

6. Formal agreement

7. Publication of results

- a. Date EqIA published on Council website (full or summary version)

8. Monitoring and review

- a. Set dates and mechanism for monitoring and reviewing