

Equality Impact Analysis Screening Tool

Section 1: Introduction

Name of proposal For the purpose of this document, 'proposal' refers to a policy, function, strategy or project
Statement of Gambling Policy 2022 Review
Service area and Directorate responsible
Place/Public Realm
Name of completing officer
Tom Lewis, Team Leader, Licensing and Safety, Environmental Health and Trading Standards
Head of Service
David Tolley, Head of Service, Environmental Health and Trading Standards

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with 'protected characteristics' and those without them
- Foster good relations between those with 'protected characteristics' and those without them

This Equality Impact Analysis provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above. For more information about the Council's commitment to equality, please visit the Council's [website](#).

Section 2: Summary of proposal being screened

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010

This is a Policy that the Council has a legal requirement to adopt under the Gambling Act 2005 and must review at least every 3 years. The policy sets out in detail how the licensing authority (Council) will discharge its licensing functions under the Gambling Act 2005.

There are three licensing objectives set out in the Gambling Act, as follows:

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

The Licensing Authority's licensing powers under the Gambling Act 2005 are limited to premises, with operator and remote (online) gambling regulated by the Gambling Commission.

In considering the policy in view of the Equality Act 2010, though there could be a view that there may be an effect on religious/believe the reason for the policy is statutory. Therefore, in view of this and the new addition of "Equality & Inclusion in Gambling Premises" section, which discusses PSED and links the policy to the Council's Equality Policy, it does not appear that there are likely to be any adverse effects on people who share Protected Characteristics as defined by the 2010 Act.

Section 3: Equality Impact Analysis screening

Is there a risk that the policy, proposal or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below?	Yes	No	Comments
Please consider the impact on overall communities, residents, service users and Council employees. This should include people of different:			
▪ Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
▪ Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
▪ Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
▪ Religion or Philosophical belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
▪ Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<ul style="list-style-type: none"> ▪ Gender re-assignment status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ People who have a Disability (physical, learning difficulties, mental health and medical conditions) 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ Marriage and Civil Partnerships status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ People who are Pregnant and on Maternity 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>You should also consider:</p> <ul style="list-style-type: none"> ▪ Parents and Carers ▪ Socio-economic status ▪ People with different Gender Identities e.g. Gender fluid, Non-binary etc. ▪ Other 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

If you have answered **Yes** to one or more of the groups of people listed above, **a full Equality Impact Analysis is required**. The only exception to this is if you can 'justify' the discrimination (Section 4).

Section 4: Justifying discrimination

Are all risks of inequalities identified capable of being justified because there is a:	
(i) <i>Genuine Reason</i> for implementation	<input type="checkbox"/>
(ii) The activity represents a <i>Proportionate Means</i> of achieving a <i>Legitimate Council Aim</i>	<input type="checkbox"/>
(iii) There is a <i>Genuine Occupational Requirement</i> for the council to implement this activity	<input type="checkbox"/>

Section 5: Conclusion

Before answering the next question, please note that there are generally only two reasons a full Equality Impact Analysis is not required. These are:

- The policy, activity or proposal is likely to have **no or minimal impact** on the groups listed in section three of this document.
- Any discrimination or disadvantage identified is **capable of being justified** for one or more of the reasons detailed in the previous section of this document.

Conclusion details

Based on your screening does a full Equality Impact Analysis need to be performed?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you have answered **YES** to this question, please complete a full Equality Impact Analysis for the proposal

If you have answered **NO** to this question, please detail your reasons in the 'Comments' box below

Comments

The decision making body is recommended to:

- Agree the proposed Gambling Policy
- Note that the 'no casino' resolution remain within the Gambling Policy.

All local authorities have to review and adopt a gambling policy every three years which defines how they will administer and exercise their responsibilities under the Gambling Act 2005.

The Gambling Policy is prescribed by the central government and the Gambling Commission. The policy is compatible with this advice and guidance.

Some of the major issues and concerns about gambling, including gambling addiction, are not addressed in the policy, as the policy details how the licensing authority (Council) will discharge its licensing functions under the Gambling Act 2005.

The Gambling Policy states how the Licensing Authority will exercise its authority. This policy covers the following:

- How the Licensing Authority will use its regulatory powers in relation to applications and reviews of the activities it regulates, to the extent it is allowed by statute.
- The main licensing objective for the authority is protecting children, preventing crime and disorder and ensuring gambling is fair and open.
- The Licensing Authority approach to regulation.
- The scheme of delegation.

The licencing objectives remain including protecting children and the vulnerable, including 'people may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.'

The business operators will be requested to undertake local risk assessments in relation to their premises. It is expected that the local risk assessment will consider various issues including exposure to vulnerable groups, type of footfall (e.g., children, families), education facilities and homelessness/ rough sleeper hostels. The local risk assessment is also expected to identify how these risks will be mitigated and monitored.

Also, a statutory consultation process commenced on 7th March and 29th May 2022. The comments received have been analysed and incorporated into the policy where necessary.

The policy will be agreed by the full Council.

The policy includes a number of measures to prevent children from taking part in gambling and restriction of advertising so that gambling products are not aimed at or are attractive to children.

The licensing authority will consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/ machines, segregation of areas.