



**WATFORD
BOROUGH
COUNCIL**

Equality Impact Analysis

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| Title of policy, function or service | Gambling Act 2005 Statement of Principles 2019 - 2022 |
| Lead officer | Richard Brown |
| Person completing the EIA | Richard Brown |
| Type of policy, function or service: | Existing (reviewed) <input checked="" type="checkbox"/> New/Proposed <input type="checkbox"/> |
| Version & Date | Version 1, 13 th September 2018 |

1. Background

The council is the local licensing authority under the Gambling Act 2005 and is required to review, consult upon and publish a policy document every three years. The current policy expires on 6th January 2019 and sets out how the council exercises its various responsibilities in terms of issuing premises licences, liaising with the Gambling Commission (a national co-regulator), carrying out its enforcement functions and issuing permits for small-scale gambling such as machines in alcohol-licensed premises and registering small society lotteries.

In preparing the statement the licensing authority must have regard to the three licensing objectives of the Gambling Act, namely:

- 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. The Gambling Commission states: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

The existing statement of principles was adopted by the council on 23rd November 2015 and is due to expire on 6th January 2019 and the report being taken to committee on 26th September seeks approval to approve a revised policy that will expire in January 2022.

Officers have received no complaints about the operation of the policy and believe it to be working well, so only minor changes were proposed to the policy.

These were agreed by Licensing Committee in June 2018 and relate to:

- 1) Strengthening the links between the council and the local Director of Public Health, in order to further promote the licensing objective relating to the protection of children and other vulnerable people from gambling.
- 2) Changing the way in which notifications and applications for five or more gaming machines permits are currently dealt if there no representations and officers are satisfied that the licensing objectives will be promoted.

2. Focus of the Equality Impact Analysis

This EIA, therefore, considers the potential equality related impacts, both positive and negative of the Gambling Act 2005 Statement of Principles on the people in the groups or with the characteristics protected in the Equalities Act 2010.

These are:

1. Age

2. Disability
3. Gender Reassignment
4. Pregnancy and maternity
5. Race
6. Religion or belief
7. Sex (gender)
8. Sexual Orientation
9. Marriage and Civil Partnership.

3. Engagement and consultation

A public consultation exercise was carried out between 27th July and 31st August 2018. The following organisations were written to:

- (a) Holders of premises licences, permits and gaming machine notices issued under the Act
- (b) Trading Standards (Hertfordshire County Council)
- (c) Residents of the Borough (residents' associations)
- (d) Hertfordshire Constabulary
- (e) Gambling Commission
- (f) Hertfordshire Fire & Rescue Service
- (g) Hertfordshire Safeguarding Children's Board (Hertfordshire County Council)
- (h) Development Management (Watford Borough Council)
- (i) Environmental Health (Watford Borough Council)
- (j) Her Majesty's Revenue & Customs
- (k) Watford Borough Councillors
- (l) Hertfordshire County Council Director of Public Health

Details of the consultation were placed on the council website and a public notice was placed in the Watford Observer on 27th July 2018.

Only two responses to the consultation were received, neither of which were via the online survey which included a number of equality and diversity questions, so it has not been possible to obtain any information about the characteristics of the responders.

None of the responses suggested that any of the protected characteristics would be adversely impacted by the proposed revisions to the policy, or that the policy as a whole would adversely affect a particular sector of the community. It is also worth noting that no complaints relating to equalities have been received in the duration of operation of the previous Policy.

4. What we know about the Watford population

The current population of Watford is 96,800 (mid 2017 estimate) and is estimated to grow by 16% by 2026. Population growth estimates stated that they expected Watford to reach 100,000 by the end of 2017. In terms of gender breakdown, there are estimated to be fractionally more female than male residents but the difference is not significant.

The 2011 Census shows the following breakdown in terms of ethnicity: White British (61.9%), White other (7.7%), Pakistani (6.7%), British Indian (5.5%) and British other Asian 4.4%).

Census information is now nearly 10 years old and it is likely that the ethnic profile of the borough has changed during this time to reflect more recent EU arrivals to the borough (EU2 countries – Romania and Bulgaria, who were given residency rights in 2014).

5. How will the council ensure equality is promoted through the Gambling Act 2005 Statement of Principles 2019-2022?

Under the Equality Act 2010, three areas need to be considered when analysing the equality impact of the Gambling Act 2005 Statement of Principles 2019-2022:

1. **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
2. **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
3. **foster** good relations between people who share a relevant protected characteristic and people who do not

Gambling Act 2005 applications and notifications are not assessed based on the characteristics of the applicant. Instead they are issued in accordance with the law and depend on the application being correctly submitted.

The information people will need to know about the legislation, as well as the application process is accessed via the council's webpages and this feature provides additional support and help to those with a range of equalities related issues such as those for whom English is not the first language, those with visual impairment or learning difficulties.

The council's website features 'browsealoud' which allows people to:

- translate pages into a range of different languages
- enlarge web pages
- activate voice over for web pages
- simplify web page content

Should an applicant's characteristics make it difficult to use this channel then face to face and telephone contact is still possible.

A. Positive impacts

The council has not identified any positive effects from the analysis of consultation responses, the makeup of the Borough and the way that applications are processed and consents issued.

The strengthening of protection of children and other vulnerable people from gambling within the revised policy clearly has a benefit relating to these groups. For most gambling activity you have to be 18 (16 for some activities), and so the statement of principles protects those of this age.

By ensuring Watford is a borough where gambling is well regulated the principles also ensure that it is a place where communities can live safely and peacefully together, thus fostering the good relations that are also part of the council's equality duty.

B. Negative impacts

The council has not identified any negative effects from the analysis of consultation responses, the makeup of the Borough and the way that applications are processed and consents issued.

Whilst the consultation itself has not identified any positive or negatives from the responses themselves, there are some other impacts that are relevant to the policy and should be noted:

| | Positive | Negative | None | Reasons for Decision |
|-----------------------|----------|----------|------|---|
| All groups in society | x | | | <p>Positive:</p> <p>Within society there are vulnerable people who may develop addictions to gambling. Whilst the law requires licensed gambling premises to monitor those who gamble regularly and also to have self-exclusion schemes, historically this has been a difficult problem to deal with as Adult Safeguarding departments are not responsible authorities.</p> <p>The 2019-2022 policy aims to deal with / mitigate this by strengthening the links between the council and the local Director of Public Health.</p> <p>It is hoped that this will further promote the licensing objective relating to the protection of children and other vulnerable people from gambling.</p> <p>Specifically, we propose to develop a Local Area Profile, using health statistics and other data, that will assist premises licence holders and applicants with their local risk assessments.</p> <p>Also whilst the Local Director of Public Health is not a Responsible Authority the council believes involving the local Public Health team will help promote the licensing objectives, so we are proposing to provide information on premises licences applications to the Director of Public Health for their comment.</p> |
| Age | x | | | The law excludes under 18's from most activities regulated by the legislation to which this policy applies so having a strong and detailed policy which officers believe this is will have a positive impact on this group. |
| Disability | | | x | |
| Gender Reassignment | | | x | |
| Pregnancy and | | | x | |

| | | | | |
|---------------------------------|--|--|---|--|
| maternity | | | | |
| Race | | | x | |
| Religion or belief | | | x | |
| Sex (gender) | | | x | |
| Sexual Orientation | | | x | |
| Marriage and Civil Partnership. | | | x | |

6. Overall conclusion

In applying this Policy, no particular group is given priority over another in relation to implementation of the Policy and how any applicant is dealt with. Applications are assessed on their individual merits, so all groups will be treated fairly by the council under its public sector equality duty.

Accordingly the Council is not in a position where it can proactively affect the profile of licence holders, but the Policy ensures that the process of obtaining a licence is fair and free of discrimination and there are no barriers to anyone making an application.

On consideration, the overall conclusion of the EIA is that there is no negative impact on any characteristic or group as a result of this Policy, and that the strengthening of links with the local Public Health Team will have a positive impact on all groups in society.

This EIA has been approved by:



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Justine Hoy, Head of Environmental Health & Licensing

Date: 17th September 2018