

EQUALITY IMPACT ASSESSMENT - TRAFFORD COUNCIL

A. Summary Details		
1	Title of EIA:	Statement of Gambling Policy 2022-2025
2	Person responsible for the assessment:	Joanne Boyle
3	Contact details:	licensing@trafford.gov.uk
4	Section & Directorate:	Licensing, Place
5	Name and roles of other officers involved in the EIA, if applicable:	N/A

B. Policy or Function		
1	Is this EIA for a policy or function?	Policy <input checked="" type="checkbox"/> Function <input type="checkbox"/>
2	Is this EIA for a new or existing policy or function?	New <input type="checkbox"/> Existing <input type="checkbox"/> Change to an existing policy <input checked="" type="checkbox"/>
3	What is the main purpose of the policy/function?	This is an equalities impact assessment of the Council's revised policy for the licensing of gambling premises and permits. Under Gambling Act 2005 local authorities are responsible for issuing premises licences, permits and notices in respect of gambling premises. The Council are required to adopt a gambling policy every three years, the first of which came into effect on 31 January 2007. We now need to

prepare and publish a new policy by 31 January 2022.

Function of the Policy:

The gambling policy may be referred to by officers and members of committees when determining licensing applications and is available for all parties when applying for licences and submitting representations. As mentioned above this policy is relevant to various permissions and authorisations under the Gambling Act 2005 relating to gambling premises and permits, there are separate policies for other areas of licensing e.g. alcohol and entertainment, street trading, taxis and sexual entertainment venues.

The policy has served the council well and has not been subject to any challenge since implementation. The licensing of gambling related activities is a well-regulated low risk licensing function.

Licensing leads across Greater Manchester have agreed to take a common approach to refreshing gambling licensing policies. The revised policy has been amended to reflect this approach.

The legislation sets out a consultation process and framework which the council has a statutory responsibility to follow. The Licensing Authority's role is limited as we licence premises and related activities e.g. Amusements with prizes (AWP) machines in licensed premises.

The bulk of policy and operations are held with the Gambling Commission, which licences and regulates the operators through

		<p>issuing operating licences. Our experience of processing gambling act applications is that they are non-contentious. Since the legislation came into force only a small number of applications have been referred to the Licensing Committee for determination. These applications were for betting premises licences and representations were received from interested parties. The applications were granted by the Licensing Committee</p>
4	<p>Is the policy/function associated with any other policies of the Authority?</p>	<p>The Council has seven corporate priorities.</p> <p>The Licensing Policy can be linked to the priorities of: Children and Young People; Health and Wellbeing; and Successful and Thriving Places</p> <p>◆ Children and Young People - Licenses premises must be safe for all users and staff - public safety, the protection of children from harm and the prevention of crime and disorder are key objectives ◆ Health and Wellbeing - Licensed premises and their clientele should not cause undue noise and nuisance to neighbours - prevention of public nuisance is a key objective ◆ Successful and Thriving Places - The licensing regime has led to an increase in licensed premises which will help to boost the local economy which will bring new jobs and more prosperity to the Borough ◆</p> <p>The revised policy is intended to address issues in relation to living well, and is intended to help strike the right balance between the development of town centres and its potential adverse impact on local residents.</p>

5	Do any written procedures exist to enable delivery of this policy/function?	Yes, these are contained in a separate procedure manual.
6	Are there elements of common practice not clearly defined within the written procedures? If yes, please state.	No
7	Who are the main stakeholders of the policy? How are they expected to benefit?	<p>Licence holders • Potential licence holders • Residents or their representatives • Local businesses or their representatives • Government bodies and other external agencies, such as Police, Fire & Rescue Service • Council departments, such as Planning Control and the Safeguarding Children Board, Pollution Control Team and Food Safety Team. • Councillors as the decision makers and representatives of residents.</p> <p>The benefits of the Policy are that it provides: a fair and consistent approach to licensing enforcement administration for any service user; easy to understand information regarding licence application and decision making processes to anybody who wants it; and enables any service user to understand and comply with current legislation.</p>
8	How will the policy/function (or change/improvement), be implemented?	<p>The Gambling Policy will be agreed formally by the Full Council in November 2021 and will become effective on the 31st January 2022.</p> <p>The Policy then has to be reviewed and renewed at least every 3 years.</p> <p>Once implemented guidance and information will be available for businesses.</p>

		<p>Guidance and advice will also be available to individuals who wish to make representations (objections) to an application.</p> <p>Unlicensed activity and compliance will be monitored by enforcement.</p>
9	What factors could contribute or detract from achieving these outcomes for service users?	No barriers identified
10	Is the responsibility for the proposed policy or function shared with another department or authority or organisation? If so, please state?	No

C. Data Collection on People Impacted by Policy or Function

1	Do you have monitoring data on the number of people (from different equality groups) who are using or are potentially impacted upon by your policy/ function?	<p>General</p> <p>The Council's Gambling Policy covers the whole of Trafford. Any resident of Trafford who engages in gambling with licensed operators has the potential to be affected.</p> <p>Licence or permit holders</p> <p>There is no data available specifically in respect of the demography of licence or permit holders in Trafford. This is primarily because application forms are prescribed by the Home Office and currently do not request equalities information. Furthermore licence holders are often businesses. Therefore, when considering the impact on licence holders</p>
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and the public we need to rely on data covering the whole of the area whilst bearing in mind that spatially the demography of Trafford varies.

The Gambling Commission gathers national data on gambling participation the last of which was published in April 2020, detailed below;

-46% of people have gambled in the last four weeks

-50% of men have gambled in the last four weeks

-43% of women have gambled in the last four weeks

-21% of people have gambled online in the last four weeks

Age

Children were explicitly identified as being vulnerable to harm in the Gambling Act 2005. National data indicates younger people are the age group most likely to gamble.

Health and lifestyle

Related Data GamCare is the leading national provider of information, advice, support and free counselling for the prevention and treatment of problem gambling. GamCare highlights the impact of gambling on mental health. ' According to the Royal College of Psychiatrists problem gamblers are more likely than others to suffer from low self-esteem, develop stress-related disorders, to become anxious, to have poor sleep and appetite, to develop a substance misuse problem and to suffer from depression'.

Sex and gender

The Gambling Commission data indicates that both men and women gamble – men are about 5% more likely to gamble than women. GamCare data of 30,000 callers each year indicates that both men and women can develop problem gambling habits and men and women gamble in different ways. Men are more likely to use betting shops and women are more likely to use fruit machines and Bingo

Ethnicity

We do not have data on the ethnicity of people who gamble. The 2007 and 2010 British Gambling Prevalence Surveys have shown a consistent relationship between ethnicity and the people who gamble. In both studies, problem gambling prevalence rates were higher among those from non-White ethnic backgrounds. More recently, Gamcare have included information on the ethnicity of their 30,000 callers a year who report concerns about their own gambling, or the gambling of a family member or partner. This data indicates problem gambling affects people of all ethnicities therefore we can assume that Black, Asian and minority ethnic people gamble in similar proportions to their representation within the community.

Religion and belief Religions have differing views on gambling, and problem gamblers from some faith groups may be reluctant to seek help within their own community because it is forbidden . There is no data on what proportion of people with a faith and those with no faith participate in gambling.

2	Please specify monitoring information you have available and attach relevant information*.	The information required from applicants is set down in Regulations and does not include any form of profile monitoring. In essence the same is true of any residents who object to any application.
3	If monitoring has NOT been undertaken, will it be done in the future or do you have access to relevant monitoring data?	<p>There is no information currently available that adequately profiles users or beneficiaries.</p> <p>An action point from this assessment will be to consider what meaningful profiling can be done of service users that will inform future initiatives and policy to ensure there is no unequal impact on the relevant target groups.</p> <p>The EQIA will be reviewed in the event of any equalities issues being raised by respondents to the consultation and will be updated after the consultation is concluded</p>

**Your monitoring information should be compared to the current available census data to see whether a proportionate number of people are taking up your service*

D. Consultation & Involvement		
1	Are you using information from any previous consultations and/or local/national consultations, research or practical guidance that will assist you in completing this EIA?	<p>There is very little data regarding existing licensees available to inform this process.</p> <p>All local authorities have to use prescribed processes and forms produced by Central Government. The forms used do not include equalities issues.</p>

		<p>The Government have not permitted application forms to contain anything except that which is specified in the regulations. This has had implications not just for previous equalities impact assessments for licensing consultation but also monitoring all Council interventions under the act.</p> <p>The Council will not be in a position where it can proactively affect the profile of licence holders. The policy we adopt though will ensure that the process of obtaining a licence will be fair and free of discrimination.</p>
2	Please list any consultations planned, methods used and groups you plan to target. (If applicable)	The next stage is for the policy to undergo a public consultation which will run for 7 weeks pending statutory timescales. After this the policy will be considered by the Full Council on 24 th November 2021.
3	**What barriers, if any, exist to effective consultation with these groups and how will you overcome them?	No barriers identified

***It is important to consider all available information that could help determine whether the policy/ function could have any potential adverse impact. Please attach examples of available research and consultation reports*

E: The Impact – Identify the potential impact of the policy/function on different equality target groups

The potential impact could be negative, positive or neutral. If you have assessed negative potential impact for any of the target groups you will also need to assess whether that negative potential impact is high, medium or low

	Positive	Negative (please specify if High, Medium or Low)	Neutral	Reason
General	<input checked="" type="checkbox"/>			No negative impact anticipated. The Act is a permissive regime and applications must be granted unless there are good reasons not to do so and each licence application, where representations are made, will be considered against the three key Gambling Act objectives, namely: 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, and 3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.
Sex			<input checked="" type="checkbox"/>	There is some evidence to support a higher risk of problem gambling in men rather than women. In 2015-16 over 70% of calls to Gamcare support-line

				were from men, and the majority of calls from women were as an 'affected other'. http://www.gamcare.org.uk/sites/default/files/file_attach/GamCare%20Annual%20Statistics%202015-16.pdf
Pregnant women & women on maternity leave				No expected impact
Gender Reassignment				No expected impact
Marriage & Civil Partnership				No expected impact
Race- include race, nationality & ethnicity (NB: the experiences may be different for different groups)				The policy will ensure that all services are aware of the need to abide by the Equality Act (2010)
Disability – physical, sensory & mental impairments			<input checked="" type="checkbox"/>	No positive or negative impact anticipated but each licence application, where representations are made, will be considered against the three key Gambling Act objectives, namely: 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

				<p>gambling is conducted in a fair and open way, and 3. protecting children and other vulnerable persons from being harmed or exploited by gambling. 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</p>
<p>Age Group - specify e.g. older, younger etc.</p>	<input checked="" type="checkbox"/>			<p>This policy will have a positive impact on age. Actions and objectives are stated in the policy that will help protect vulnerable and young people. The policy at outlines what the licensing authority's duty is in and what the Council expects from licence holders in respect of protecting young people from harm. The policy makes</p>

				provision for Children and Young Peoples services to act as the responsible authority for matters relating to the protection of children from harm and enables them to comment on variations/new applications and request reviews of licences
Sexual Orientation – Heterosexual, Lesbian, Gay Men, Bisexual people				No expected impact
Religious/Faith groups (specify)				Most religions do not condone gambling for money; consequently some sectors could view the gambling policy as an endorsement of this kind of activity. There is however no expected significant negative impact

As a result of completing the above what is the potential negative impact of your policy?

High

Medium

Low

Neutral

F. Could you minimise or remove any negative potential impact? If yes, explain how.

Race:

N/A

Sex & Gender, including pregnancy & maternity, gender reassignment, marriage & civil partnership

N/A

Disability:		N/A
Age:		N/A
Sexual Orientation:		N/A
Religious/Faith groups:		N/A
Also consider the following:		
1	If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity for a particular equality group or for another legitimate reason?	N/A
2	Could the policy have an adverse impact on relations between different groups?	No
3	If there is no evidence that the policy <i>promotes</i> equal opportunity, could it be adapted so that it does? If yes, how?	<p>The aims of the policy are:</p> <ol style="list-style-type: none"> 1. Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises; 2. Giving the police, licensing officers and responsible authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems; 3. Recognising the important role which licensed premises play in our local communities and economy by minimizing the regulatory burden on business, encouraging innovation and

		<p>supporting responsible premises;</p> <p>4. Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and</p> <p>5. Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.</p> <p>The policy itself is therefore intended to have an overall positive impact on the area and its residents, supporting the safe operation of licensed premises in the Trafford.</p>
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G. EIA Action Plan

Recommendation	Key activity	When	Officer Responsible	Progress milestones
<p>The policy has a statutory review process. The policy has to be updated at least every 3 years.</p>	<p>Keep the policy under review</p>	<p>On-going</p>	<p>Joanne Boyle</p>	

Please ensure that all actions identified are included in the attached action plan and in your service plan.

Signed *Joanne Boyle*
Lead Officer
Date 02/02/2021

Signed *A G Fisher*
Director
Date 06/07/21