



# South Kesteven District Council

## Equality Analysis (Stage 1)

### Statement of Principles (Gambling Policy)

<b>Service Area:</b> Community Safety and Licensing	<b>Lead officer:</b> Mark Jones	<b>Date of Meeting</b>  11/10/13
	<b>Assessors:</b> Pam Robinson	
	<b>Neutral Assessor:</b> Carol Drury	

**1. Name and description of policy/service/function/strategy**

South Kesteven District Council is responsible for the licensing of premises and the issue of permits and authorisations under the Gambling Act 2005. The Statement of Principles is intended to provide clarity to applicants, interested parties and Responsible Authorities on how this Licensing Authority will determine applications. The Statement of Principles (Gambling Policy) 2014-2017 is an update of the Council's Gambling Policy document.

**Is this a new or existing policy? Existing**

**2. Complete the table below, considering whether the proposed policy/service/function/strategy could have any potential positive, or negative impacts on groups from any of the protected characteristics (or diversity strands) listed, using demographic data, user surveys, local consultations evaluation forms, comments and complaints etc.**

<b>Equality Group</b>	<b>Does this policy/service/function/strategy have a positive or negative impact on any of the equality groups?  Please state which for each group</b>	<b>Please describe why the impact is positive or negative. If you consider this policy etc is not relevant to a specific characteristic please explain why</b>
<b>Age</b>	Positive	It is a general requirement on this authority to protect children from harm. The Gambling Act 2005 also stipulates that in granting licences to gambling premises we must ensure that children from being harmed or exploited by gambling. Safeguards are required by Licensees which include training on how staff should deal with suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. Further safeguards include permissible access points to premises and locations and separation requirements relating to gambling machines. Information is also available to Licensees through the Statement of Principles on the responsible body for the Safeguarding of

		Children and Young People.
<b>Disability</b>	Positive	In considering the term 'vulnerable persons' the Gambling Commission's guidance does not seek to offer a definition but states that "...it does for regulatory purposes assume that this group includes 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 mental health needs, learning disability, or substance misuse relating to alcohol or drugs." Safeguards are required by Licensees which include training staff to recognise potential vulnerable persons and, if necessary, refer to the appropriate authority.
<b>Race</b>	N/A	Application of the principles within this statement are not determined by protected characteristic. In complying with the Gambling Act 2005 we are governed by guidance from the Gambling Commission and the Act's three aims which are noted in 'general comments' below
<b>Gender Reassignment</b>	N/A	Application of the principles within this statement are not determined by protected characteristic. In complying with the Gambling Act 2005 we are governed by guidance from the Gambling Commission and the Act's three aims which are noted in 'general comments' below
<b>Religion or Belief</b>	N/A	Application of the principles within this statement are not determined by protected characteristic. In complying with the Gambling Act 2005 we are governed by guidance from the Gambling Commission and the Act's three aims which are noted in 'general comments' below

<b>Sex</b>	N/A	Application of the principles within this statement are not determined by protected characteristic. In complying with the Gambling Act 2005 we are governed by guidance from the Gambling Commission and the Act's three aims which are noted in 'general comments' below
<b>Sexual Orientation</b>	N/A	Application of the principles within this statement are not determined by protected characteristic. In complying with the Gambling Act 2005 we are governed by guidance from the Gambling Commission and the Act's three aims which are noted in 'general comments' below
<b>Pregnancy and Maternity</b>	N/A	Application of the principles within this statement are not determined by protected characteristic. In complying with the Gambling Act 2005 we are governed by guidance from the Gambling Commission and the Act's three aims which are noted in 'general comments' below
<b>Marriage and Civil Partnership</b>	N/A	Application of the principles within this statement are not determined by protected characteristic. In complying with the Gambling Act 2005 we are governed by guidance from the Gambling Commission and the Act's three aims which are noted in 'general comments' below
<b>Carers</b>	N/A	Application of the principles within this statement are not determined by protected characteristic. In complying with the Gambling Act 2005 we are governed by guidance from the Gambling Commission and the Act's three aims which are noted in 'general comments' below
<b>Other Groups (e.g. those from deprived (IMD*) communities; those from rural communities, those with an offending past)</b>  *(IMD = Indices of	Positive	In considering the term 'vulnerable persons' the Gambling Commission's guidance does not seek to offer a definition but states that "...it does for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people

multiple deprivation)	<p>who may not be able to make informed or balanced decisions about gambling due to mental health needs, learning disability, or substance misuse relating to alcohol or drugs.” Safeguards are required by Licencees which include training staff to recognise potential vulnerable persons and, if necessary, refer to the appropriate authority.</p>
<b>General comments</b>	<p>In formulating a Statement of Principles we are required to have regard to the Gambling Act, guidance issued by the Gambling Commission and the responses from those consulted on the Policy. The Statement is the guiding principle for use by Elected Members and officers when applying the Act.</p> <p>The statement must be particular to the local authority area and be formulated to achieve the government’s three core aims of:</p> <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime</li> <li>• Ensuring that gambling is conducted in a fair and open way</li> <li>• Protecting children and other vulnerable persons from being harmed or exploited by gambling</li> </ul> <p>Any enforcement action needs to take in relation to a breach of the Licensing Objectives will bear in mind the Human Rights Act 1998 in particular - Part I, The Convention, Rights And Freedoms:</p> <ul style="list-style-type: none"> <li>• Article 6           Right To A Fair Trial</li> <li>• Article 8           Right To Respect For Private And Family Life</li> <li>• Article 10          Freedom Of Expression</li> </ul> <p>and Part II, The First Protocol:</p> <ul style="list-style-type: none"> <li>▪ Article 1           Protection of Property: Every natural or legal person is entitled to the peaceful enjoyment of his possessions</li> </ul>

**3. What equality data/information did you use to inform the outcomes of the proposed policy/service/function/strategy? (Note any relevant consultation who took part and key findings)**

**Parties consulted**

**Statutory Consultees**

Lincolnshire Police  
Lincolnshire Fire and Rescue  
Environmental Health – Environment Section - SKDC  
Environmental Health – Commercial Section – SKDC  
Health and Safety Executive  
Gambling Commission  
Lincolnshire Safeguarding Children Board  
Building Control – SKDC  
HM Revenue and Customs

**Public Bodies**

South Lincolnshire CCG  
South West Lincolnshire CCG  
Lincolnshire County Council (Highways)  
Security Industry Authority  
Lincolnshire County Council (Social Services)  
Lincolnshire County Council (Trading Standards)  
Lincolnshire County Council (Educational Welfare)  
Citizens' Advice Bureau  
Lincolnshire Probation Trust  
Lincolnshire Safeguarding Adults Board

**Lincolnshire Authorities**

Lincoln City Council  
North Kesteven DC  
South Holland DC  
West Lindsey DC  
East Lindsey DC  
Boston Borough Council  
North East Lincolnshire Council

**Community Consultees**

Bourne Town Council  
Market Deeping Town Council  
Stamford Town Council  
Deeping St James Parish Council  
Stamford Civic Society  
Grantham Civic Society  
Nicholas Boles MP  
Stephen Phillips MP  
John Hayes MP  
GamCare  
Addaction  
Samaritans  
Community Lincs  
Relate  
Lincolnshire Credit Union

**Trade Associations involved in Gaming and Entertainment Industry**

British Beer & Pub Association  
 British Institute of Innkeeping  
 Campaign for Real Ale  
 Pubwatch – Grantham, Stamford and Bourne and The Deepings  
 The Bingo Association  
 Gamestec  
 Association of British Bookmakers Ltd  
 Casino Operators' Association  
 Racecourse Association  
 Business in Sport and Leisure  
 British Holiday and Home Parks Association  
 British Casino Association  
 British Amusements and Catering Trade Association  
 Wakley Automatics  
 Eastern Automatics  
 Hart-Marler Leisure  
 Leisure Link  
 Peterborough Automatics  
 Claremont Automatics  
 Keeday Leisure  
 Gala Bingo  
 Bet Fred  
 Coral UK  
 Mark Jarvis Betting  
 Ladbrooks  
 All alcohol licensed premises and registered club premises  
 Amusement arcades permit holders in the district

**If there are any gaps in the consultation/monitoring data, how will this be addressed?**

No gaps were identified

**4. Outcomes of analysis and recommendations (please note you will be required to provide evidence to support the recommendations made): Please check one of the options.**

a)	No major change needed: equality analysis has not identified any potential for discrimination or for negative impact and all opportunities to promote equality have been taken	<input checked="" type="checkbox"/>
<b><i>If you have checked option a) you will need to complete a Stage 3 analysis when your policy/service/function/strategy has been implemented</i></b>		
b)	Adjust the proposal to remove barriers identified by equality analysis or to better promote equality.	<input type="checkbox"/>
<b><i>If you have checked option b) you will need to answer questions b.1 and b.2</i></b>		
c)	Adverse impact but continue	<input type="checkbox"/>

<b><i>If you have checked option c) you will need to answer questions c.1</i></b>		
d	Stop and remove the policy/function/service/strategy as equality analysis has shown actual or potential unlawful	<input type="checkbox"/>

**b.1 In brief, what changes are you planning to make to your proposed policy/service/function/strategy to minimise or eliminate the negative equality impacts?**

**b.2 Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.**

***If you have checked option b) you will need to complete a Stage 2 equality analysis***

**c.1 Please provide an explanation in the box below that clearly sets out your justification for continuing with the proposed policy/function/service/strategy.**

***If you have checked option c) you will need to complete a Stage 2 equality analysis. You should consider in stage 2 whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.***

**Signed (Lead Officer):**  
*(Name and title)*

**Mark Jones**  
*Service Manager – Community Safety and Licensing*

**Date completed:**

**16/10/13**

**Signed (Neutral Assessor):**  
*(Name and title)*

**Carol Drury**  
*Community Engagement and Policy Development Officer*

**Date signed off:**

**11/10/13**