

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place		
Service Area:	Public Protection (Licensing)		
Name of the proposal :	Statement of Policy and Cumulative Impact Assessment (Licensing Act 2003)		
Lead officer:	Lesley Cooke		
Date assessment completed:	17/02/22		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	<p><i>Under Gambling Act 2005 local authorities are responsible for issuing premises licences, permits and notices in respect of gambling premises. There are currently 20 premises licences in force, for the following:</i></p> <ul style="list-style-type: none"><i>• 1 adult gaming centre</i><i>• 1 bingo premises</i><i>• 1 betting premises (track)</i><i>• 17 betting premises (other) – bookmakers 18.</i> <p><i>The number of licensed premises has reduced by a third in the last three years. Nine bookmakers and one bingo hall have surrendered their premises licences.</i></p> <p><i>There are currently 187 premises that hold authorisations that allow the provision of gaming machines on the premises.</i></p> <p><i>The council are required to adopt and review a Statement of Licensing Policy (a policy) at least every three years, but it can be reviewed at any time. It was last reviewed and implemented in January 2022. However, whilst implementing the policy councillors asked Members of the Licensing and Gambling to reconsider in light of a number of points made. Councillors also approved a 'local area profile' to help licensees risk assess the issues in the area to mitigate the potential harms gambling may cause.</i></p>

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	<p><i>Gambling Act 2005 (the Act)</i> <i>Gambling Commission Codes of Practice</i> <i>Gambling Commission Guidance for Local Authorities (April 2021)</i></p> <p><i>In exercising most of their functions under the Act, the licensing authority must have regard to the licensing objectives as set out in Section 1 of the Act. The licensing objectives are:</i></p> <ul style="list-style-type: none"> <i>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;</i> <i>• Ensuring that gambling is conducted in a fair and open way;</i> <i>• Protecting children and other vulnerable persons from being harmed or exploited by gambling.</i> <p><i>The Gambling Commissions codes of practice give practical guidance in implementing the act, some of the aspects of the code i.e. the social responsibility aspects are mandatory in that a licence will not be granted unless they are in place. The Guidance for local authorities includes ‘national conditions’ tailored to particular types of gambling premises.</i></p>
1.3	Who are the stakeholders and what are their interests?
	<p><i>Generally speaking the stakeholders are licence holders, responsible authorities, other parties including residents and visitors to the city They share a common interest in that York is safe, vibrant and inclusive city.</i></p> <p><i>Under Section 157(h) of the Gambling Act 2005, the Local Authority is required to designate a body which is competent to advise about the protection of children from harm. In accordance with the Guidance issued to local authorities, the authority designates CYC’s Children’s Social Care.</i></p>

1.4	What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.
	<p><i>The purpose of the policy is to recognise that gambling is a leisure activity enjoyed by many people, and to ensure that it remains safe and fun for them. However, for some people gambling is harmful and impacts on ‘affected others’ including family, friends and the wider community.</i></p> <p><i>The 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 in order to ensure the objectives of the Act (outlined above) are achieved.</i></p> <p><i>The implementation of a Statement Policy will support the Council’s plan of a prosperous city for all, where local businesses can thrive and a council that listens to residents.</i></p>

Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.
Source of data/supporting evidence	Reason for using
<i>York Open Data</i>	<p><i>To help prepare the ‘Local Area Profile’</i></p> <p><i>York Open Data is a platform created by the City of York Council which holds over 1000</i></p>

	<p><i>different datasets, all of which are related to the City itself. All of the information is available for the public to access and manipulate. The ranges of datasets on the platform are vast, some of which have helped with the creation of this profile; particularly the York Profile and individual Ward profiles</i></p>
<p><i>Gambling Commission Annual Report (June 2021)</i></p> <p><i>Gambling Commission Statistics and research</i></p> <p>https://www.gamblingcommission.gov.uk/about-us/statistics-and-research</p>	<p><i>Statistics on gambling and problem gambling</i></p> <p><i>Official statistics in relation to gambling including ‘understanding why people gamble’ (2018).</i></p>
<p><i>Be Gamble Aware Annual GB Treatment and Support Survey 2020</i></p> <p>https://www.begambleaware.org/sites/default/files/2021-03/Annual GB Treatment and Support Survey 2020 report %28FINAL%29 26.03.21.pdf</p>	<p><i>Statistics on those receiving treatment and support for gambling including by age and gender.</i></p>
<p><i>Royal College of Psychiatrists ‘Gambling Disorder’</i></p> <p>https://www.rcpsych.ac.uk/mental-health/problems-disorders/gambling-disorder</p>	<p><i>Information for anyone who is worried about their gambling or knows someone whose gambling has become a problem</i></p>
<p><i>A 12 week consultation was undertaken as part of the review of the Statement of Licensing Policy (2021)</i></p>	<p><i>The following were invited to participate in the consultation:</i></p>

• BACTA • Gamcare • Gamblers Anonymous UK • GambleAware • Responsible Gambling Strategy Board • Gambling Therapy organisation • Gambling – York Nightline • Health Watch North Yorkshire • Association of British Bookmakers • British Bingo Association • National Casino Forum • Racecourse Association • Horserace Betting Levy Board • HM Revenue & Customs • British Beer & Pub Association • York City Branch CIU • Yorkshire & Humber TUC • York CVS • York & North Yorkshire Chamber of Commerce • York Citizens Advice Bureau • Clifton Moor Business Association • Vangarde Shopping Park • York Designer Outlet • Coppergate Centre • Federation of Small Businesses • York Professionals • Make it York • York Retail Forum • BID • Gambling Commission • North Yorkshire Police • North Yorkshire Fire & Rescue Service • City of York Council Public Protection • City of York Council Public Health • City of York Council Children Services • City of York Council Adult Services • City of York Council Development Control • Ward Councillors • Parish Councils • Premises Licence Holders

One response was received from Gamble aware, and the links they provided were incorporated into the revised policy

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.		
Gaps in data or knowledge		Action to deal with this	
<i>Some groups choose not to engage with the consultation</i>		<i>We try to engage with as many parties as possible through the consultation process. We detailed at point 2.1 how we work closely with other CYC sections and agencies to get a broad scope of matters.</i>	

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.			
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)	

Age	<p><i>The Be Gamble Aware survey identified that 18-34 year olds had the largest number of non-gamblers (54%). The largest number of gamblers were in the 35-54 year old age bracket. Those aged 55+ have the largest number of non-problem gamblers (51%) However, there was a higher percentage of 18-34 year olds in every category of gamblers from 'low risk' to 'problem gamblers'.</i></p> <p><i>The Statement of Gambling Policy together with the local area profile (which includes the age profile of the people of York) are designed to help gambling premises mitigate the risks from gambling and to aid the local authority in making licensing decisions – it will have a positive impact.</i></p> <p><i>The local area profile also includes details of schools in each ward.</i></p>	<i>Positive</i>	<i>Medium</i>
Disability	<p><i>There are no known findings/impacts to this specific group. See below for information on gambling and mental health.</i></p>	<i>0</i>	<i>Low</i>
Gender	<p><i>The Be Gamble Aware Survey identified that there are roughly equal numbers of men and women who are non-gamblers or non-problem gamblers. But in every category of gamblers from 'low risk gamblers' – to 'problem gamblers', there approximately twice as many men as women. 16% of gamblers with a risk score are men, 8% are women.</i></p> <p><i>The Statement of Gambling Policy together with the local area profile (which includes the gender profile of the people of York) are designed to help gambling premises mitigate the</i></p>	<i>Positive</i>	<i>Medium</i>

	<i>risks from gambling and to aid the local authority in making licensing decisions - it will have a positive impact.</i>		
Gender Reassignment	<i>There are no known findings/impacts specific to this group</i>	0	Low
Marriage and civil partnership	<i>There are no known findings/impacts specific to this group</i>	0	Low
Pregnancy and maternity	<i>There are no known findings/impacts specific to this group</i>	0	Low
Race	<p><i>The Be Gamble Aware Survey identified that adults from Black, Asian and Minority Ethnic (BAME) backgrounds were less likely to participate in gambling overall than their white counterparts, but among those who did, they recorded higher scores on the PGSI (problem gambling severity index score) scale.</i></p> <p><i>The Statement of Gambling Policy together with the local area profile (which gives the race profile of the people of York) are designed to help gambling premises mitigate the risks from gambling and to aid the local authority in making licensing decisions - it will have a positive impact.</i></p>	Positive	Low
Religion and belief	<i>There are no known findings/impacts specific to this group</i>	Positive	Low
Sexual orientation	<i>There are no known findings/impacts specific to this group</i>	0	Low
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	<i>There are no known findings/impacts specific to this group</i>	0	Low

<p>Low income groups</p>	<p><i>The Local are profile gives details of index of deprivation by ward and details of the most deprived areas of York. Westfield, Clifton and Guildhall are the most deprived areas of York.</i></p> <p><i>The Statement of Gambling Policy together with the local area profile are designed to help gambling premises mitigate the risks from gambling and to aid the local authority in making licensing decisions - it will have a positive impact.</i></p>	<p><i>Positive</i></p>	<p><i>Medium</i></p>
<p>Veterans, Armed Forces Community</p>	<p><i>There are no known findings/impacts specific to this group</i></p>	<p><i>0</i></p>	<p><i>Low</i></p>
<p>Other</p>	<p><i>The Royal College of Psychiatrists report that roughly 1 in every 100 people have a gambling disorder i.e. ‘feel they have lost control’, ‘continues to gamble despite negative consequences’ and ‘sees gambling as more important to them than any other interest or activity</i></p> <p><i>The local area profile gives further detail on the links (or perceptions) of gambling and crime and further detail on gambling behaviour.</i></p> <p><i>The Statement of Gambling Policy together with the local area profile(which includes details of the wards in which hostels, supported housing and drug/alcohol facilities are based) are designed to help gambling premises mitigate the risks from gambling and to aid the local authority in making licensing decisions - it will have a positive impact.</i></p>	<p><i>Positive</i></p>	<p><i>Medium</i></p>

Impact on human rights:			
List any human rights impacted.	<i>None</i>		

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a **POSITIVE** impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a **NEGATIVE** impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a **NEUTRAL** effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<i>As noted above, introducing a local area profile (which is not legally required, but recognised under the Gambling Commission Code of Practice to have a 'significant impact') is designed to help gambling premises mitigate the risks from gambling and to aid the local authority in making licensing decisions.</i>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	<i>As noted throughout, The Statement of Gambling Policy together with the local area profile are designed to help gambling premises mitigate the risks from gambling and to aid the local authority in making licensing decisions - it will have a positive impact.</i>

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
<i>N/a</i>			

Step 8 - Monitor, review and improve

8. 1	<p>How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?</p>
	<p><i>It is a legal requirement that the Policy is reviewed at least once every three years.</i></p>