

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

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| Name or Brief Description of Proposal | GAMBLING ACT STATEMENT OF LICENSING PRINCIPLES |
| Brief Service Profile (including number of customers) | |
| <p>The Licensing Authority will:</p> <ul style="list-style-type: none"> • Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences • Issue Provisional Statements • Regulate members’ clubs and miners’ welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits • Issue Club Machine Permits to Commercial Clubs • Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres • Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines • Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required • Register small society lotteries below prescribed thresholds • Issue Prize Gaming Permits • Receive and endorse Temporary Use Notices • Receive Occasional Use Notices | |

- Provide information to the Gambling Commission regarding details of licences issued (see section above on information exchange)
- Maintain registers of the permits and licences that are issued under these functions

The Licensing Authority will not be involved in licensing remote gambling. This will fall to the Gambling Commission via Operator Licences.

Within Southampton, the functions of the licensing authority under the Gambling Act 2005 are below (numbers of licences/permits etc):-

- Licensing premises for gambling activities (44)
- Considering notices given for the temporary use of premises for gambling (nil)
- Granting permits for gaming and gaming machines in clubs and miners' welfare institutes (10)
- Regulating gaming and gaming machines in alcohol licensed premises (98)
- Granting permits to family entertainment centres for the use of certain lower stake gaming machines (5)
- Granting permits for prize gaming (nil)
- Considering occasional use notices for betting at tracks (nil)
- Registering small societies' lotteries (10 in the last year)

Summary of Impact and Issues

The policy explains how the licensing authority will deal with applications under its remit in line with the Gambling Act 2005 and what considerations applicants need to consider when making applications and carrying out risk assessments. This includes how vulnerable groups should be protected as well as included in any activity.

The emphasis is strong on the protection of the vulnerable but at the same time is not a bar to these groups joining in and enjoying safely such activities. The Gambling Act defines "children" as those persons under 16 years of age and "young persons" as those persons aged 16 or 17 years of age.

The term "vulnerable persons" is not defined, however the following offers some guidance:

- People who gamble more than they want to
- People who gamble beyond their means
- People who may not be able to make informed or balanced

decisions about gambling due to a lack of mental capacity, potentially due to cognitive or mental health conditions, , alcohol, drugs or even some pharmaceutical treatments.

In Southampton we would also consider the following people to be vulnerable:

- Those with an inclination to gamble more than they want to or beyond their means
- Those who are dependent for a source of income on somebody who gambles more than they want to or beyond their means
- Those who are employed by gambling operators and have regular contact with gambling
- Those aged 16-29.
- Habitual players of gaming machines

Additionally, research by City of Westminster Council, Manchester City Council and the Local government Association identified the groups as at greater risk of harm from gambling. This list is not exhaustive but includes the following:

- Young people
- People from Asian or Oriental ethnic groups,
- People who are unemployed
- People in deprived areas
- People who are homeless
- People who are migrants
- People on probation
- People under the influence of drugs and/or alcohol
- People with some mental health, cognitive or neurodiverse conditions
- People with a history of problematic gambling

The governments 'Gambling-related harms evidence review' updated on 30th September 2021 estimates 0.5% of the population reached the threshold to be considered problem gamblers and 3.8% of the population were considered as 'at risk gamblers'. People identified as problem gamblers are more typically male and in younger age groups. The socio-demographic profile of gamblers appears to change as gambling risk increases, with harmful gambling associated with people who are unemployed and among people living in more deprived areas.

The amendments to the policy ensure that the document is up to date and reflects revised guidance issued by the Gambling Commission in May 2021.

Potential Positive Impacts

This policy provides strong safeguards whilst not being prohibitive of businesses flourishing and allows the public from all sections of our community to participate in gambling activities in a safe environment.

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| Responsible Service Manager | Phil Bates |
| Date | 18 th October 2021 |
| Approved by Senior Manager | Mary D'Arcy |
| Date | 25.10.21 |

Potential Impact

| Impact Assessment | Details of Impact | Possible Solutions & Mitigating Actions |
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| Age | <p>The young are identified as a vulnerable group for gambling and policy places measures to protect them.</p> <p>People identified as problem gamblers are more typically male and in younger age groups.</p> | <p>There are measures within the policy requiring licence holders to undertake risk assessments.</p> <p>There are further measures set out in the policy. These include:</p> <p>All premises licence holders are expected to have suitable safeguarding policies in respect of children, young persons and vulnerable persons.</p> <p>All premises licence holders are expected to ensure that all staff are trained to recognise safeguarding issues when they arise and act appropriately.</p> <p>All premises licence holders are expected to display information on mental health, alcohol and drug services on-site where it is accessible by customers and staff.</p> <p>Locations for gambling premises which may pose</p> |

| Impact Assessment | Details of Impact | Possible Solutions & Mitigating Actions |
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| | | <p>problems, including those in close proximity to premises frequented by children or other vulnerable persons, will be considered on its merits and whether there are adequate measures to restrict access to children, protect vulnerable persons and prevent crime and disorder.</p> <p>Premises should ensure that appropriate systems and procedures are in place to ensure the exclusion of those persons who have requested to be excluded as well as under 18s (where appropriate).</p> <p>For bingo and Family Entertainment Centres premises, it is a mandatory condition that under-18s should not have access to certain areas.</p> <p>In Adult Gaming Centres (AGCs), the Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure, for example, that persons under the age of 18 do not have access to the</p> |

| Impact Assessment | Details of Impact | Possible Solutions & Mitigating Actions |
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| | | <p>premises.</p> <p>In regard to Permits, Temporary and Occasional Use Notices, the Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm.</p> |
| Disability | <p>Those with mental capacity needs may have difficulty understanding signage and well-being information available at premises.</p> | <p>In order to protect both staff and those who are under the influence of alcohol or drugs (thereby potentially distorting their ability to make rational decisions), those persons who appear to be in such a state must be immediately excluded from the premises. Signage should be prominently displayed to indicate this. With reference to those persons with mental capacity needs, premises would be well-advised to consult a suitable Mental Health Advisor and formulate a policy to protect this category of vulnerable person from being harmed or exploited by gambling.</p> |
| Gender Reassignment | No identified impact | N/A |
| Marriage and Civil Partnership | No identified impact | N/A |
| Pregnancy and Maternity | No identified impact | N/A |

| Impact Assessment | Details of Impact | Possible Solutions & Mitigating Actions |
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| Race | Certain ethnicity groups have been identified as at increased risk of harm. | <p>This has been addressed in the policy's requirement for licence holders to undertake risk assessments.</p> <p>Further, each application for a premises licence will be considered on its merits; applicants are expected to show how they will meet licensing objective concerns, including protecting vulnerable persons from being harmed or exploited by gambling.</p> |
| Religion or Belief | No identified impact | N/A |
| Sex | Males identified as at greater risk than females to gambling harm. | <p>This has been addressed in the policy's requirement for licence holders to undertake risk assessments.</p> <p>Further, each application for a premises licence will be considered on its merits; applicants are expected to show how they will meet licensing objective concerns, including protecting vulnerable persons from being harmed or exploited by gambling.</p> |
| Sexual Orientation | No identified impact | N/A |
| Community Safety | Gambling can be a source of crime and disorder, can be associated with crime and disorder, or be used to support | In the interest of preventing crime and disorder, the policy requires all gambling premises in Southampton |

| Impact Assessment | Details of Impact | Possible Solutions & Mitigating Actions |
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| | crime. | <p>to have a minimum provision for safe cash-handling and thereby prevent against theft/robbery.</p> <p>The policy sets out the expectation for all premises to have adequate lighting inside and out (appropriate to the premises in question) to ensure against robbery and other covert activity.</p> <p>The policy requires that in addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police's architectural liaison unit at the design stage to ensure crime prevention and detection.</p> <p>Premises are required to have protocols in place to prevent staff or customers becoming a victim of robbery and identify those persons who may be at risk and that the existence of these protocols is well-publicised. We will also outline control measures for tracks, as track operators do not need to hold an operating licence.</p> <p>To ensure the safety of both customers and staff,</p> |

| Impact Assessment | Details of Impact | Possible Solutions & Mitigating Actions |
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| | | sufficient staffing numbers should be in place at all times the premises is open |
| Poverty | Individuals living in areas of deprivation identified as at greater risk of suffering gambling harms. | <p>This has been addressed in the policy's requirement for licence holders to undertake risk assessments.</p> <p>Further, each application for a premises licence will be considered on its merits; applicants are expected to show how they will meet licensing objective concerns, including protecting vulnerable persons from being harmed or exploited by gambling.</p> |
| Health & Wellbeing | Gambling addiction identified as a health issue. | <p>The policy has measures for signposting and promoting of appropriate support services for individuals suffering issues</p> <p>We expect all Southampton-based gambling premises to maintain a log of the incidence and handling of problem gambling and share this and other information with the Licensing Team upon request.</p> <p>We will look to work with the trade to ensure inconvenience is minimised while we build up a picture of gambling risks and progress in risk</p> |

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| | | <p>management.</p> <p>We expect all customer-facing and management staff in premises licensed under the Gambling Act 2005 to have sufficient knowledge to tackle risks associated with gambling and know how to promote responsible gambling.</p> <p>We expect all premises to operate a voluntary exclusion scheme.</p> <p>We expect all premises offering gambling to have a mechanism in place to identify vulnerable persons and to monitor and intervene where customers may be gambling beyond their means or more than they would like.</p> <p>Premises should ensure that vulnerable persons are either excluded from gambling (in the case of those who are under the influence of alcohol or drugs, under voluntary exclusion or have been excluded for whatever other reason) or are under supervision with the possibility of intervention.</p> <p>Advertising should not target 'vulnerable persons'.</p> <p>Premises should not use inducements to gamble</p> |

| Impact Assessment | Details of Impact | Possible Solutions & Mitigating Actions |
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| | | such as free or cut price alcohol or food, to further ensure the safety of both customers and staff and protect vulnerable persons from being harmed or exploited by gambling. |
| Other Significant Impacts | No identified impact | N/A |

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