

Purpose

Policy/Service under development/review:

Gambling Act 2005 Statement of Licensing Principles

1. What sources of research and evidence do we currently have and what does it tell us?

Evidence source: Research, local demographic information, Gambling participation and perceptions figures released by Gambling Commission dated 27 Feb 2018 and Public Consultation

What could this mean for people with protected characteristics (see table at the end of the form) affected by policy/service under development/review?:

This policy will be applicable to 64 licenced gaming premises with the conurbation, these consist of 1 bingo premises, 4 Adult Gaming Centres, 4 Licenced Family Entertainment Centres, 4 casinos, 1 track and 50 betting shops.

The Gambling Commission (GC) is the national regulatory authority for commercial gaming in the UK and we support that regulation by issuing local licences for gambling activities. The GC provides codes of practices and guidance for operators and local authorities.

The GC Gambling participation in 2019 behaviour, awareness and attitudes annual report 2020

<https://assets.ctfassets.net/j16ev64qyf6l/7ulxjm1SNQMygdOFV2bzxN/ea74db1104925f015edb11db0596f98b/Gambling-participation-in-2019-behaviour-awareness-and-attitudes.pdf>

Headline findings:

- Research found that overall, gambling participation has remained stable compared to 2018 with 47% of respondents aged 16+ having participated in at least one form of gambling in the past four weeks in 2019 (46% in 2018).
- By age, the highest level of gambling participation was found among the 45-54 age group (53%) however, if those who only participated in NL draws are excluded, those in the age group 25-34 had the highest participation level (41%).
- Amongst respondents:
 - The National Lottery draws remain the most popular gambling activity, followed by other lotteries and scratchcards.
 - Football and horse racing are the most popular betting activities.
 - Over half of past four week gamblers (51%) gamble at least once a week.
 - 21% of all respondents have gambled online in the past four weeks, a significant increase since 2018.

Perception and attitudes to gambling provided by the GC annual report

Overall, 29% of respondents think that gambling is conducted fairly and can be trusted. Whilst the figure is stable since 2018, it does represent a significant decline over the past 10 years.

In total, 43% think that gambling is associated with criminal activity (a significant decline since 2018). Options on gambling were drawn from news on TV (40%)

Gambling addicts stealing to carry on gambling was the crime that respondents associate the most with gambling.

In addition, 82% of respondents think there are too many opportunities for gambling nowadays and 73% think that gambling is dangerous for family life, however, 60% of respondents think that people should have the right to gamble whenever they want.

Having the best odds and the reputation of a company for being fair and trustworthy were the top factors that were important for to gamblers when first selecting an operator to gamble with.

Public consultation took place for 12 weeks between October to December 2021 via the councils' website for and this was advertised via social media. The link to the consultation and policy was sent directly to consultees which are listed at appendix A.

The public consultation resulted in 7 responses from members of the public and comments from the Police and Crime Commissioner (PCC) and the Betting and Gaming Council.

The opinions and feedback provided by the members of the public expressed concerns about access to gambling premises by young people and the need for education, they also expressed concerns relating to advertising. The policy objectives clearly address protecting children from gambling and premises must produce a written risk assessment to address this. The other aspects such as education is already dealt with by schools within the curriculum for personal development and advertising is regulated by the Advertising Standards agency.

The PCC and Betting and Gaming Council generally supported the document.

Enquiries were made to see if there were any groups who are involved in gambling addiction to see if there are any local groups/communities who should be considered in our policy and local area risk assessments, apart from gamblers anonymous there were not a known group locally identified.

Local Area Profile

Age

There are nearly 80,000 children in the BCP area under the age of 18, this is 20% of the population.

Actions and objectives are stated in the policy that will help protect vulnerable and young people and it is proposed to consult with the BCP community safety partnership on this Statement of Principles. It is not however anticipated that the proposed policy will have a negative effect on the grounds of age.

Disability

There are nearly 67,000 people within the BCP area who have day to day activities limited by long term disability this is this is 18% of the population.

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.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of disability.

Sex/Gender

Statistics from NatCen social research that works for society website show overall, men were more likely to participate in most forms of gambling than women.

- Among women, gaming was more popular than betting, with 26% of GGY for 'gaming' coming from women compared to 6% for betting.
- Among accounts which spent £5,000 or more over the year, over 95% were held by men, typically in their 40s.

<https://www.natcen.ac.uk/news-media/press-releases/2021/march/new-interim-research-findings-detail-gambling-habits-from-140,000-online-gambling-accounts-in-great-britain/>

<https://www.natcen.ac.uk/media/2031903/Investigating-the-association-between-physical-and-mental-health-conditions-and-gambling-in-England-and-Scotland.pdf>

Offline bingo was the only activity where men were less likely to participate than women (3% and 7%, respectively). Men were significantly more likely than women to have used an online bookmaker (13% and 2%, respectively) and to have placed an offline bet on a horse (12% and 7%, respectively) in the past year. Slot machines were also more popular among men than women (8% and 4%, respectively). And men were also more likely to have bet on sports events offline than women, with 9% of men and 1% of women.

<https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-inGreat-Britain-2016.pdf>

2. What additional research do we need?

Police statistics into crime related in and around the venues is required

3. Are there any relevant policies/strategies that need to be considered as part of this process?

Statement of Licensing Policy, Equality and Diversity Policy, Corporate Strategy, Crime and Disorder Reduction Strategy,

4. What do we still need to know?

Findings

Please tick any characteristic that will be affected – there can be more than one.	Age ¹	Disability ²	Sex	Gender reassignment ³	Pregnancy and Maternity	Marriage and Civil	Race	Religion or Belief	Sexual Orientation	Armed Forces Community	Human Rights	Any other factors/groups e.g. socio-economic status/carers etc ⁴
Positive outcomes												
Robust systems in place to safeguard and supervise to prevent underage use	✓	✓	✓									✓
Robust policies and procedures in place to safeguard vulnerable adults from harm	✓		✓									
Robust systems in place to protect staff from harm	✓		✓									✓
Local area profiles will be used to determine applications received Including the proximity to any religious premises, rehab centres or schools, playgrounds	✓		✓					✓				✓

¹ Under this characteristic, The Equality Act only applies to those over 18.

² Consider any reasonable adjustments that may need to be made to ensure fair access.

³ Transgender refers people have a gender identity or gender expression that differs to the sex assigned at birth.

⁴ People on low incomes or no income, unemployed, carers, part-time, seasonal workers and shift workers

Layout of premises considered on application which will include protecting vulnerable people some of whom may be disabled	✓	✓										✓
Negative outcomes												
Gambling associated with crime	✓	✓	✓								✓	✓

Appendix A

List of Consultees

Age Concern Bournemouth
Arts University Bournemouth
Association of British Bookmakers
BH Live
Bingo Association
Bishop of Salisbury
Bishop of Winchester
Blake Morgan, Solicitors
Bournemouth & District Law Society
Bournemouth and Poole Rough Sleepers Team, Assertive Outreach Worker (Alcohol)
Bournemouth Accommodation and Hotel Association
Bournemouth Area Hospitality Association
Bournemouth Branch of the Federation of Small Businesses
Bournemouth Chamber of Trade & Commerce
Bournemouth Community Church
Bournemouth Islamic Centre and Central Mosque
Bournemouth Town Centre BID
Bournemouth Town Centre Chaplaincy
Bournemouth Town Centre Parish (The Diocese of Winchester)
Bournemouth Town Watch
Bournemouth University
Bournemouth YMCA
British Amusement, Catering and Traders Association
British Casino Operators Association
Burton and Winkton Parish Council
CAMRA (Campaign for Real Ale)
Charminster Traders Association
Christchurch Bid
Christchurch Chamber of Commerce
Christchurch Town Council

Citizens Advice Bureau
College at Lansdowne
Dorset Healthcare University NHS Foundation Trust
Equalities and Diversity Manager
Events
Gala Casino, Bournemouth
Gamblers Anonymous
Gamble Aware
Gambling Commission, Area Manager
Gamcare
Genting Casinos
Gosschalks Solicitors
HM Revenue & Customs (National Registration Unit)
Highcliffe and Walkford Parish Council
Hurn Parish Council
Home Office (Immigration)
Innpacked
Institute of Licensing
JCP Law, Licensing Solicitor
John Gaunt & Partners, Licensing Solicitors
Kuits Solicitors
Laceys, Licensing Solicitors
Lansdowne Baptist Church
Lotteries Council
Throop and Holdenhurst Village Council
NatCen Social Research
National Organisation of Residents Associations
Pokesdown Community Forum
Police and Crime Commissioner
Poole Chamber of Commerce
Poole Dolphin Centre Manager
Poole Harbour Commissioner
Poole Town Centre Manager
Poppleston Allen, Licensing Solicitors

Robert Sutherland, Keystone Law
Sacred Heart Catholic Church, Bournemouth
Safer & Stronger Communities
Salvation Army
Samaritans
Seafront and Business Development
South Western Ambulance Service
St Swithun's Church
Steele Raymond, Solicitors
Stonegate Pub Company Limited, Operations Director
Throop and Holdenhurst Village Council
Trethowans
UK Youth Parliament
Wallisdown Info
Winton Traders Association

Adult Safeguarding
Communities Manager
Children's Services
Child Safeguarding Partnership
Dorset Police – Drug & Alcohol Harm Reduction, Prevention Department
Dorset and Wiltshire Fire Rescue Service
Planning
Environmental Health

Equality Impact Assessment: Report and EIA Action Plan

Purpose

Policy/Service under development/review:	Gambling Act 2005 Statement of Principles
Service Lead and Service Unit:	Nananka Randle Communities
People involved in EIA process:	Nananka Randle Sarah Rogers Andy Williams
Date EIA conversation started:	1 July 2021

Background

Licensing authorities are required by the Gambling Act 2005 (the Act) to publish a Statement of Principles that they propose to apply when exercising their functions under the 2005 Act. The Statement must be published at least every three years and can be reviewed from “time to time” with any amended parts re-consulted upon

This will be the first BCP wide policy. The policy sets out the framework to facilitate consideration of applications in respect to these premises.

The purpose of the Statement is to enable BCP Council to have clear guidelines in relation to the licensing of gambling activities in its area for applicants, residents and workers. This policy ensures a transparent consistent approach that gives direction and focus to the Licensing Committee in determining applications.

There are two types of permissions for gambling activities granted under this policy:-

Premises licences which cover adult gaming centres (AGC), casinos, betting, bingo, tracks and licensed family entertainment centres (FEC's) and travelling fairs

Permits - unlicensed FEC's, gaming machines in premises licenced for the sale of alcohol, prize gaming, club gaming and club machines,

The authority must have regard to the licensing objectives as set out in section 1 of the Act these are :

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- Ensuring gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing Authority aims to permit the use of premises for gambling:

- In accordance with any relevant Code of Practice issued by the Gambling Commission.
- In accordance with any guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives
- In accordance with the Authority's Statement of Licensing Principles

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The 2022-2025 Statement was circulated for consultation for a period of 12 weeks. There were 8 responses received

The main service users who will benefit from the policy include Licensed premises, residents and workers within the venues.

The Gambling Statement of Principles has scope to advance equality by promoting good relations and reduce inequality/protect vulnerable persons. The Statement supports a culture of openness where appropriate information can be accessed by all parties, hearings are generally held in public and enforcement is in line with the principles promoted within the enforcement concordat.

Partnership working and exchange of information (within legal constraints) is also supported by the Statement. In this way we hope to promote understanding between those providing gambling opportunities and those potentially affected by them.

As with applications under other laws such as the Licensing Act 2003, we will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible.

From April 2016 gambling operators must conduct local risk assessments for their premises to demonstrate that they understand local issues and to show what measures they propose to introduce to mitigate against the risk of harm to children and vulnerable persons. (Gambling Commission's Licensing Conditions and Codes of Practice responsibility code provision 10.1.1)

Vulnerable people should be protected from harm. Who 'vulnerable people' are or the ways in which they may be vulnerable is not defined by the 2005 Act, though the Gambling Commission states that for regulatory purposes this is likely to include: "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, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs." (GC, 2012)

The Gambling Commission's Licence Conditions and Codes of Practice and Social Responsibility Code Provisions state that licensees must review (and update as necessary) their local risk assessments:

- to take account of significant changes in local circumstance, including those identified in this policy;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- when applying for a variation of a premises licence; and
- in any case, undertake a local risk assessment when applying for a new premises licence

The Licensing Authority will expect the local risk assessment to consider the following:

- The proximity of the premises to schools.
- The commercial environment.
- Factors affecting the footfall.
- Whether the premises is in an area of deprivation.
- Whether the premises is in an area subject to high levels of crime and/or disorder.
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups.
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.

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- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship.

In any case, the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

- The training of staff in intervention when customers show signs of excessive gambling, the ability of staff to offer intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusion schemes and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gambling trends.
- Gambling trends that may mirror financial payments such as pay days, pay day loans or benefit payments.
- Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
 - dedicated and trained personnel,
 - leaflets and posters,
 - self-exclusion schemes,
 - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to game rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.

The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

Other matters that the assessment may include:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises and in particular the gaming machines and fixed odds betting terminals.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.

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- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.
- Provisions to ensure the health and welfare of staff engaged in lone working.

These factors do not preclude an application as each is assessed on its own merits

Findings

• **Different Ages**

Negative Outcome: The extent of gambling among children and young people is lower than drinking alcohol but higher than using e-cigarettes, smoking tobacco cigarettes, or taking illegal drugs. There may also be a relationship between these other harmful activities and gambling. Compared with children who have not gambled, those who have spent their own money on gambling are more likely to have consumed alcohol, taken drugs, or smoked either a tobacco cigarette or an e-cigarette.

Nearly double the number of boys (13%) reported participating in any gambling activity in the past 7 days than girls (7%), and participation was higher in children aged 14 to 16 years (12%) compared to those aged 11 to 13 years (9%). Electronic gaming (fruit and slot) machines were often identified as the first experiences of gambling among children and young people although National Lottery, scratch cards, and placing private bets with friends were the most common forms of gambling reported. As young people got older there was a significant increase in online gambling among boys

Positive Outcome: No under 18s permitted robust systems in place to safeguard against underage use. Including assessments of access and supervision.

Some functions are aimed at children specifically (FEC's) in these cases the protection of harm is considered to include wider safeguarding concerns and on applications DBS may be required safeguard children when on site.

On application, the location of venues will take into consideration as part of the local risk assessment and local area plan.

From the Department of Health and Social Care - review of gambling related harm. States that the proportion of children and young people who reporting any gambling in the last 12 months reduced from 39% in 2018 to 36% in 2019.

• **Those with physical disabilities**

Positive Outcome: Layout of premises considered on application which will include protecting vulnerable people some of whom may be disabled

• **Those with mental disabilities**

Negative Outcome: A high quality quantitative study showed that people with gambling disorder have an increased risk of dying from any cause, in a given time period, relative to the general population. This was greater in gamblers aged between 20 and 49.

Two quantitative studies reported that deaths from suicide were significantly higher among adults with gambling disorder or problems compared to the general adult population. One of these found that some participants, particularly women, had already experienced suicidal events before starting to gamble. This suggests that gambling may trigger suicidal events in some people already prone to suicidal ideation. The link between gambling and suicide and self-harm was supported by qualitative studies.

Positive Outcome: The protection of vulnerable adults is a licensing objective which is considered on application and during inspections.

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When considering applications, the proximity to rehabilitation units and care accommodation for vulnerable persons who may be recovering from gambling and other addictions will be considered. Strict conditions as part of the policy are imposed to protect vulnerable patrons from gambling harm and in particular premises who provide betting terminals and other such activities must demonstrate compliance with Gambling Commission codes of practice and social responsibility including self-exclusions and links with support organisations such as Gamcare

- **People from different ethnic groups**

Negative Outcomes: Cultural harms refer to the tensions between gambling and cultural practices and beliefs, and 'normalisation' (where an activity and the associated harms become thought of as 'normal'). We found 14 low to moderate quality qualitative studies related to cultural harms from gambling. These studies showed that gambling-related harm is influenced by cultural norms, so some gamblers and their close associates experience additional harm like shame and isolation. Gambling is normalised in society so harms can be passed on to the next generation.

Positive Outcome: On application, the location of venues will take into consideration the local community cultural profile and proximity of religious premises and places of worship

- **People with different religions or beliefs**

Positive Outcome: On application, the location of venues will take into consideration the proximity of religious premises and places of worship.

- **People in different socio-economic groups**

Negative Outcomes : The highest rates of gambling participation are among people who have higher academic qualifications, people who are employed, and among relatively less deprived groups. People who are classified as at-risk and 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. This suggests harmful gambling is related to health inequalities.

Positive Outcomes: On application and during the course of the licence all premises must consider the local area profile which takes into account areas of deprivation and unemployment. Premises must ensure they consider the local area and provide the necessary support for their customers. This includes self exclusion.

New applications would be refused based on the proximity to deprivation indicators and care provision.

Conclusion

Overall, the policy will have a positive impact because it will regulate the location and operation of any gambling establishments within the conurbation.

On application and during the course of the licence the premises must undertake a risk assessment which takes into account factors such as indices of deprivation.

Once licenced there are strict conditions to safeguard young people and vulnerable adults who may experience gambling related harm. They must have staff properly vetted with Criminal Records Checks. Staff must be trained to support customers experiencing gambling harm and signpost them to support services and their own self exclusion services.

Equality Impact Assessment: Report and EIA Action Plan

Equality Impact Assessment Action Plan

Please complete this Action Plan for any negative or unknown impacts identified above. Use the table from the Capturing Evidence form to assist.

Issue identified	Action required to reduce impact	Timescale	Responsible officer