

**Equality Impact Assessment**

<b>Department</b>	<b>Division</b>	<b>Officers involved in the assessment</b>
Licensing	Environmental Enforcement and Protection	Diane Croucher - Environmental Enforcement and Protection Manager John Newcombe – Licensing Team Leader Rebecca Pordage – Licensing Enforcement Officer Susan Herivel – Senior technical Support Officer (Licensing) Mary Venables – Corporate Support Officer Sonia Sharp – Senior Solicitor
<b>Name of the policy or service provision to be assessed:</b>	<b>Date of assessment:</b>	<b>Is this a new, revised or existing policy or service provision?</b>
REVISED STATEMENT OF LICENSING POLICY – GAMBLING ACT 2005	January 2013	Revised
<p><b><u>Overview</u></b></p> <p>The Public Sector Equality Duty is designed to support decision making by ensuring public bodies consider how different people will be affected by their activities. It applies not only to public bodies themselves but also applies to anyone carrying out public functions on their behalf, such as contractors.</p> <p>The duty states that they must have due regard to the need to: -</p> <ul style="list-style-type: none"> <li>a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;</li> <li>b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.</li> <li>c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>We need to show in a consistent way, that not only have people got equal access to everything we do, but just as importantly, that we are advancing equality of opportunity for people from the protected groups.</p> <p>Financial and other outside pressures mean that sometimes expensive changes can't be made, but we must be able to show that due regard has been given to people's varying needs and a reasonable adjustment has been considered to accommodate those needs.</p>		

**1. Describe the item you are assessing and the outcomes you want from it?**

REVISED STATEMENT OF LICENSING POLICY – GAMBLING ACT 2005 – This assessment seeks to consider whether the revised policy is discriminatory in any respect, whether it promotes equality of opportunity, fosters good relations and is consistent.

**2. Who is intended to benefit, what is the full scope of the item and who is it aimed at?**

Service users, licence holders and members of the Gambling Industry.

The policy has been revised to reflect changes to legislation, guidance and case law, to protect licence holders and ensure fair and consistent treatment of licence holders, complainants and the public.

**3. Do the anticipated outcomes meet or hinder any other things that the authority is doing?**

The policy promotes safety and equality for service users and licence holders.

**4. Who defined the policy, function or service provision and who are the main stakeholders?**

The policy was defined by the Licensing Unit. The main stakeholders are the public (service users), licence holders and partner law enforcement agencies.

**5. Who implements it and who is responsible for delivery ?**

The responsibility for the delivery of the functions relating to the Gambling Act 2005 sits with the Licensing Committee. However, the day-to-day implementation of the policy is delegated to the Licensing Team Leader. Some decisions will be referred to the Licensing Committee and these are set out in the policy.

**6. What do you already know about people you expect to benefit or people who already benefit? What consultation have you done and how are you going to monitor feedback?**

A comprehensive consultation exercise will be undertaken when the draft policy is published, including posting a printable version on the Council's website and sending out letters outlining the key changes to key stakeholders and recognised interested parties.

Adequate numbers of printed copies will be made available at Council Offices for those wishing to receive a copy.

The consultation will run for a period of 12 weeks, from 11 Feb 2013 to 6 May 2013 and letters will be sent to the following:

- Members of the Council
- Neighbouring Authorities
- Bodies designated under section 157 of the Act as 'Responsible Authorities'
- Town Centre Forums, Partnerships and Managers

- Person/ bodies representative of local residents
- Person/ bodies representative of gambling businesses
- Representatives of persons or business who hold a premises licence
- Persons or business who hold permits
- Organisations working with people who are problem gamblers
- Representatives of health care organisations
- Representatives of voluntary and community organisations working with children and young people

**7. Taking each strand of equality, explain how are you going to address the aims of the duty for each of these groups? Does your proposal positively or negatively impact on protected groups? If you conclude that it will negatively impact, explain how you have reached this conclusion and what you are going to do to mitigate this impact.**

**a. Race**

No expected negative impact. All applications dealt with on own merits. Regulatory framework is transparent and fair.

**b. Disability**

No expected negative impact. All applications dealt with on own merits. Regulatory framework is transparent and fair. Council premises enable disabled access for applicants and the public. Correspondence is available in alternative formats on request.

**c. Gender**

No expected negative impact. All applications dealt with on own merits. Regulatory framework is transparent and fair.

**d. Age**

Age is a consideration because the age restrictions contained within legislation. E.g. No under 18s permitted to be in specific premises. Over 16s can participate in lotteries. Children can be in pubs where there are gaming machines but can only access certain machines. Although there will be a differential impact on these age groups, in terms of age the Board is implementing the detailed provisions of the legislation. All applications dealt with on own merits. Regulatory framework is transparent and fair.

**e. Religion**

No expected negative impact. All applications dealt with on own merits. Regulatory framework is transparent and fair.

**f. Sexual orientation.**

No expected negative impact. All applications dealt with on own merits. Regulatory framework is transparent and fair.

**g. Gender re-assignment**

No expected negative impact. All applications dealt with on own merits. Regulatory framework is transparent and fair.

**h. Pregnancy and Maternity**

No expected negative impact. All applications dealt with on own merits. Regulatory framework is transparent and fair.

**i. Marriage and Civil Partnership**

No expected negative impact. All applications dealt with on own merits. Regulatory framework is transparent and fair.

**8. If there is nothing you can do about any adverse impact can the reasons be justified?**

The procedure is designed to meet the needs of all applicants and the general public and ensure that applications are dealt with on their own merits.

**9. If you've had to make changes because of adverse impact, have you made sure these don't have a further adverse effect on any other group?**

n/a

**10. What lessons have been learnt from completing the assessment?**

There are no significant issues arising from this assessment.

**11. Who will be the owner of the action plan?**

Licensing Team Leader

Completing Officer Name .....John Newcombe..... Lead Officer Name .....John Newcombe.....

**Action Plan to Remedy Areas of Concern**

<b>Description of Concern</b>	<b>Action Required</b>	<b>Date Due</b>	<b>Date Completed</b>	<b>Responsible Officer (Job Title Only)</b>
Impact of Gambling activities on vulnerable persons	Greater liaison with groups representing vulnerable persons and those affected by problem gambling.	By end of policy lifecycle		Licensing Team Leader

Appendix 1