

# **Supporting Good Decisions**

Promoting Equality & Human Rights, Reducing Inequality and Protecting the Environment

## **Integrated Impact Assessment Form**

# Integrated Impact Assessment Form

## Promoting Equality, Human Rights and Sustainability

<b>Title of Policy/ Proposal</b>	East Lothian Licensing Board Statement of Gambling Principles
<b>Timescale for Implementation</b>	1 April 2022
<b>IIA Completion Date</b>	10 March 2022
<b>Completed by</b>	Jill Totney, Team Manager – Democratic and Licensing
<b>Lead officer</b>	Sheila Fitzpatrick, Team Leader – Licensing and Landlord Registration

### Section 1: Screening

#### 1.1 Briefly describe the Policy/proposal/activity you are assessing.

Set out a clear understanding of the purpose of the Policy/ proposal/ activity being developed or reviewed (e.g. objectives, aims) including the context within which it will operate.

Every three years, there is a statutory requirement (Gambling Act 2005) for each Scottish (Local Authority) Licensing Board to review, consult on and publish a Statement of its Gambling Principles (The Policy). The current Policy covers the period 31 January 2019 to 30 January 2022.

This Policy supports the licensing legislation and guidance which regulates the operation of gambling premises such as casinos, bingo halls, betting shops and adult gaming centres. The Policy will inform East Lothian Licensing Board (the Board), applicants, individuals, and statutory authorities on the issue of gambling licences and permits.

The revised Policy will be effective from 31 January 2022 to 30 January 2025. Changes in the Gambling Commission Guidance and local demographic factors have been taken into account in the revised Policy. The final draft of the Policy will be presented to East Lothian Licensing Board on 31 March 2022 for approval and adoption.

*There has been a slight delay in reviewing the Policy as East Lothian Council is still operating in business contingency mode, and the Licensing Service has given priority to Covid-19 related work, such as the payments of taxi driver and operator grants.*

## What will change as a result of this Policy?

There are no material changes in the 2022/25 Statement of Gambling Principles as the 2019/22 Policy had been subject to a substantial review, update and modernisation.

The primary role and responsibilities of East Lothian Licensing Board in relation to gambling are to support and uphold the three national licensing objectives of:

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

These national objectives are underpinned by the Policy.

### 1.2 Deciding if a full Impact Assessment is needed.

Please answer the following questions:

	Yes	No
1. The Policy/ proposal has consequences for or affects people e.g. how they can access a service?	✓	
2. The Policy/proposal has potential to make a significant impact on equality?	✓	
3. The Policy/proposal is likely to have a significant environmental impact?		✓
4. The Policy/ proposal has implications for the storage/ collection of personal data?		✓

- If you have answered yes to questions 1 and 2 above, please proceed to complete the Integrated Impact Assessment. If you have answered No then an IIA does not need to be completed. Please keep a copy of the screening paperwork.
- If you have identified that your project will have a significant environmental impact, please proceed to complete the Integrated Impact Assessment. You will also need to consider whether you need to complete a Strategic Environmental Assessment. Please contact

- If you have answered yes to question 4, please seek further advice from the Data Protection Officer.

## **Section 2: Integrated Impact Assessment**

### **2.1 Have those who are affected by the Policy had the opportunity to comment on new proposals?**

Yes – The redrafted Policy was placed on East Lothian Council’s consultation hub for a period of four weeks to 6 March 2022 and was made available to statutory consultees, other invited consultees (such as parent councils) and the general public.

### **2.2 What information/data have you used to inform the development of the Policy to date?**

- Feedback from consultations on previous and current reviews of the Policy
- Legislative changes
- Gambling Commission Guidance and requirements
- Benchmarking against the Policies produced by other Scottish Local Authorities

Information available from websites such as:

[Gambling behaviour in 2021: Findings from the quarterly telephone survey - Gambling Commission](#)

[Levels of problem gambling in Scotland - Gambling Commission](#) (this appears to be the most up to date Scotland specific data)

[Key points - ScotPHO](#) (Public Health Information for Scotland)

### **2.3 What does the evidence/ research suggest about the Policy’s actual or likely impact on equality groups and those vulnerable/ or experiencing socio-economic disadvantage?**

Evidence	Comment
Which groups are in in particular need of this service?	Vulnerable persons and those under the age of 18 are to be protected from potential harm caused by gambling.
What level of service uptake/ access is there from protected and vulnerable groups?	The Policy seeks to protect vulnerable groups from the risks associated with gambling. While there is no legal definition of vulnerable people in relation to gambling, we would expect this to be persons 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.
Can you identify positive outcomes for service users	<p>The completion of local area risk assessments by applicants seeking a gambling licence will ensure positive outcomes for those using gambling premises and for those who require to be protected from harm.</p> <p>East Lothian Council therefore seeks to promote understanding between those providing gambling opportunities and those potentially affected by them. Local risk assessments must demonstrate that applicants understand local issues and show what measures they propose to introduce to mitigate against the risk of harm to children and vulnerable persons.</p> <p>When assessing licence applications the Policy provides for the requirement for the Licensing Board to consider any problems in the proposed location relating to gambling establishments such as antisocial behaviour or criminal damage and the location of any nearby sensitive premises, such as hostels and other facilities used by</p>

	<p>vulnerable persons e.g. drug and alcohol addictions;</p> <p>The local risk assessment from applicants must also show how children are to be protected and take cognisance of the proximity of places or areas which children and young people frequent such as schools, youth clubs, parks, playgrounds, entertainment venues, cafes and shops.</p>
What is the service user experience of those from protected or vulnerable groups?	No consultation responses were received from these groups.
What opportunity have those from protected groups had to co-produce or comment on the service/ plans?	There has been equality of opportunity for all interested parties to respond to the planned Policy via an online survey published on the Council's consultation hub, in addition to mandatory consultation with authorities such as Police Scotland, and East Lothian and Midlothian Public Protection Committee.

#### 2.4 How does the Policy meet the different needs of groups in the community?

<p><b>Equality Groups</b></p> <ul style="list-style-type: none"> <li>• Older people, people in the middle years</li> <li>• Children and young people children</li> </ul>	<p>Generally, the Policy affects all groups equally.</p> <p>The revised Policy would have no impact on this group unless persons are considered to be vulnerable to gambling exposure.</p> <p>The Policy affords children and young people safeguards against exposure to and exploitation from gambling.</p>

<ul style="list-style-type: none"> <li>• Women, men and transgender people (includes issues relating to pregnancy and maternity)</li>   <li>• Disabled people (includes physical disability, learning disability, sensory impairment, long-term medical conditions, mental health problems)</li>   <li>• Minority ethnic people (includes Gypsy/Travellers, migrant workers)</li>   <li>• Refugees and asylum seekers</li>   <li>• People with different religions or beliefs (includes people with no religion or belief)</li>   <li>• Lesbian, gay, bisexual and heterosexual people</li> </ul>	<p>The revised Policy would have no impact on these groups unless persons identify as vulnerable.</p> <p>The revised Policy might have an impact on these groups if they identified as vulnerable in relation to gambling, as a result of their disability.</p> <p>The revised Policy would have no impact on these groups unless persons identify as vulnerable in relation to gambling.</p> <p>The revised Policy would have no impact on these groups unless persons identify as vulnerable in relation to gambling.</p> <p>The revised Policy would have no impact on these groups unless persons identify as vulnerable in relation to gambling. Faith Groups can make representations about an application, or apply for a review of a licence. However moral objections are not a valid reason to reject applications for a premises licence.</p> <p>The revised Policy would have no impact on these groups unless persons identify as vulnerable in relation to gambling. Gender is not identified as a factor in the Statement of Principles.</p> <p>The revised Policy would have no impact on these groups unless persons</p>
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<ul style="list-style-type: none"> <li>• People who are unmarried, married or in a civil partnership</li> </ul>	<p>identify as vulnerable in relation to gambling.</p>
<p><b>Those vulnerable to falling into poverty</b></p> <ul style="list-style-type: none"> <li>• Unemployed</li> <li>• People on benefits</li> <li>• Lone Parents</li> <li>• Care experienced children and young people</li> <li>• Carers (including young carers)</li> <li>• Homeless people</li> <li>• Those involved in the community justice system</li> <li>• People with low literacy/numeracy</li> <li>• Families with 3 or more children</li> <li>• Those with a child/ children under 1</li> </ul>	<p>In general, with regard to the socio economic factors listed, the Policy will have a positive effect in that it seeks to protect vulnerable persons from the potential negative impact of gambling activities.</p> <p>There are no identifiable negative impacts, regardless of the fact that the existence of gambling premises might be considered negative by an individual/support worker in respect of persons who may have a reliance upon or difficult relationship with gambling.</p>
<p><b>Geographical communities</b></p> <ul style="list-style-type: none"> <li>• Rural/ semi rural communities</li> <li>• Urban Communities</li> <li>• Coastal communities</li> </ul> <ul style="list-style-type: none"> <li>• Those living in the most deprived communities (bottom 20% SIMD areas)</li> </ul>	<p>The revised Policy will have no impact as it for the providers/operators to decide on premises locations, based on their own business models/requirements. The Policy affects these communities equally.</p> <p>In general, the Policy will have a positive effect as completed risk assessments require to mitigate against the negative impact of gambling activities, in all areas, including areas of deprivation.</p>
<p><b>Communication Needs:</b></p> <ul style="list-style-type: none"> <li>• Gaelic Language Speakers</li> <li>• BSL users</li> <li>• English as a Second Language</li> </ul>	<p>In line with ELC Accessibility Policy, the Statement of Gambling Policy will be available in other formats, upon request.</p>



<ul style="list-style-type: none"> <li>• Other e.g. DeafBlind, Plain English, Large Print</li> </ul>	
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**2.5 Are there any other factors which will affect the way this Policy impacts on the community or staff groups?**

None

The Policy seeks to allow licensed premises the legitimate opportunity to undertake licensed gambling activities. There are no equality restrictions in terms of who can apply to become a licence holder, although minimum age limits do apply.

**2.6 Is any part of this Policy/ service to be carried out wholly or partly by contractors?**

If yes, how have you included equality and human rights considerations into the contract?

None

**2.7 Have you considered how you will communicate information about this Policy or Policy change to those affected e.g. to those with hearing loss, speech impairment or English as a second language?**

In line with ELC Accessibility Policy, the Statement of Gambling Policy will be available in other formats, upon request.

**2.8 Please consider how your Policy will impact on each of the following?**

<p><b>Equality and Human rights</b></p> <ul style="list-style-type: none"> <li>• Promotes / advances equality of opportunity e.g. improves access to and quality of services</li> <li>• Promotes good relations within and between people with protected characteristics and tackles harassment</li> <li>• Promotes participation, is inclusive and gives people control over decisions which affect them</li> <li>• Preserves dignity and self-respect of individuals (does not lead to degrading treatment or stigma)</li> </ul>
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- Builds support networks, resilience, community capacity

Comments:

Individuals and community groups can participate in the licensing process by attending Licensing Board meetings where applications are dealt with in public. Individuals and groups can raise representations in relation to applications. The Policy underpins the measures that have to be put in place by operators (per the Gambling Commission) to protect vulnerable people and self-excluded persons in relation to gambling premises.

#### **Reduces Poverty**

- Maximises income and/or reduces income inequality
- Helps young people into positive destinations
- Aids those returning to and those progressing within the labour market
- Improves employability skills, including literacy and numeracy
- Reduces the costs of taking part in activities and opportunities
- Reduces the cost of living

Comments :

Generally, the Policy will not promote poverty reduction other than potentially with regard to the measures it puts in place in relation to vulnerable persons who gamble beyond their means.

#### **Protecting the Environment and Improving Sustainability:**

- Reduces the need to travel or increases access to sustainable forms of transport
- Minimises waste / encourages resource efficiency / contributes to the circular economy
- Ensures goods / services are from ethical, responsible and sustainable sources
- Improves energy efficiency / uses low carbon energy sources
- Protects and/or enhances natural environments / habitats / biodiversity
- Promotes the transition to a low carbon economy

- Prepares and/or adapts communities for climate change impacts

Comments:

The Policy has no impact on environmental issues.

### Section 3.Action Plan

What, if any changes will be made to the proposal/ Policy as a result of the assessment?

Changes to be made	Expected outcome of the change	Resources Required	Timeline	Responsible person
None				

### For consideration of the Head of Service

Can you identify any cumulative impacts on equality groups or vulnerable people arising from this Policy, when considered alongside other changes across other services?

**No – this is a standalone policy relating to the exercise of the Licensing Board’s statutory powers relating to the regulation of gambling. Applications must be considered without regard to other policies.**

### Sign off by Head of Service

Name Morag Ferguson

Date 10 March 2022

