

Initial EIA Form Template (Screening)

Department		Initial EIA Form Template (Screening)		
Safer & Stronger Communities		Officer responsible for the Assessment		
Section	Licensing	Kate Khan (on behalf of the Licensing Section)		
Name of Policy Procedure function being assessed	Statement of Principles – Gambling Act 2005	Date of assessment	July 2012	Is this a new or existing policy
		Revision of existing policy.		
If there are any other policies or procedures associated or linked with this one, please note them here Briefly describe the aims, objectives and outcomes of the policy / procedure / function		The decision relates to a review of the Council's Statement of Licensing Principles under the Gambling Act 2005. Section 349 of the Gambling Act 2005 requires a licensing authority to prepare and publish a statement of the principles that it proposes to apply in exercising its functions under the 2005 Act during the three year period to which the policy applies. The Council must publish a revised statement of principles by no later than 31st January 2013. As the licensing authority under the Gambling Act 2005 the Council has the responsibility for the licensing of gambling premises (including betting shops, adult gaming centres, family entertainment centres, bingo premises and tracks) and the issue of permits (such as licensed premises gaming machine permits). The Licensing Authority is required to carry out its various licensing functions under the 2005 Act with a view to promoting the licensing objectives (as set out within section 1 of the 2005 Act), namely: • Preventing gambling from becoming a source of crime or disorder, being associated with crime or disorder or being used to support crime; • Ensuring that gambling is carried out in a fair and open way; and • Protecting children and other vulnerable persons from being harmed or exploited by gambling The proposed outcome will be the production and publication of a revised statement of principles as required by the relevant statutory provisions which will enable the Council to continue to exercise its functions under the 2005 Act.		

Who is intended to benefit from this policy – procedure - function	The statement of principles is of benefit to (i) the Licensing Authority – by ensuring consistency of decision-making; (ii) applicants and operators of gambling premises and premises utilising permits – by ensuring that the Licensing Authority's position in relation to such applications is clear; and (iii) members of the public – by again ensuring that the Licensing Authority's position is clear and by seeking to ensure that the licensing objective of protecting children and other vulnerable persons is addressed.
What factors could contribute to or detract from the outcomes	Consideration must be given to the consultation responses received.
Who are the main stakeholders in relation to the policy – procedure- function? Please consider key equality groups	• Cheshire Constabulary (and other 'Responsible Authorities' under the 2005 Act); • Persons representing the interests of those carrying on gambling businesses in the authority's area (e.g. Association of British Bookmakers; British Beer & Pub Association; Chambers of Commerce and Enterprise); • Persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the 2005 Act (e.g. Parish & Town Councils; the Primary Care Trust; GamCare; Gamblers Anonymous; Citizens Advice Bureau)
Who is responsible for the policy – procedure – function?	Consultation in relation to the proposed revision to the statement of principles will take place over a 12 week period and will include direct correspondence with the stakeholders identified above and publication of the proposals on the Council's website. Licensing Section
Racial equality - Is there an impact?	No
Gender Equality - Is there an impact?	No
Disability Equality - Is there an impact?	No
Sexual Orientation Equality - Is there an impact?	No

Age Equality - Is there an impact?		Yes	The policy includes details of the Licensing Authorities position in relation to the application of the licensing objective of "protecting children and other vulnerable persons from being harmed or exploited by gambling." The Council's policy restates the Gambling Commission's Guidance that the intention of the 2005 Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments. Objections to an application for a gambling premises licence on the basis of the prevention of harm to children would be treated as a relevant objection. The policy states that the Local Safeguarding Children Board is designated as the Responsible Authority for the purposes of section 157(h) of the 2005 Act.
Religion and Belief Equality - Is there an impact?	No		
Other disadvantaged groups (carers, white families from poor areas).	No		The policy includes details of the Licensing Authorities position in relation to the application of the licensing objective of "protecting children and other vulnerable persons from being harmed or exploited by gambling."
Please give details of any other potential impacts of this policy (i.e. Poverty & deprivation, community cohesion, environmental)			
Could the impact constitute unlawful discrimination in relation to any of the Equality Duties	No		
Does this policy – procedure – function have any effect on good relations between the council and the community	Yes		It is suggested that the adoption of a revised statement of principles is not only a statutory requirement but will also be beneficial by ensuring that the Council's position in relation to the manner in which it will exercise its licensing functions under the 2005 Act is clear to all relevant parties.
Should the policy – procedure – function proceed to a full equality impact assessment	No		

If you are not proceeding to a full EIA make sure you have evidence to justify this decision should it be challenged. Please state the date the policy/procedure/function will be reassessed

The format of the statement of principles takes into account the requirements of the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2005. The statement has also been drafted with regard to the Gambling Commission's Guidance to Licensing Authorities.

Sub-section 349(3) of the 2005 Act prescribes that in preparing a revision of a statement a licensing authority is required to consult:

- (a) the chief officer of police for the authority's area;
- (b) one or more persons who appear to the authority to represent the interests of carrying on gambling businesses in the authority's area; and
- (c) one or more persons who appear to the authority to represent the interests of persons likely to be affected by the exercise of the authority's functions under the 2005 Act.

Representations under the 2005 Act may be made by 'Responsible Authorities' (e.g. the Police, The Gambling Commission, the Cheshire Fire Service etc) or by 'interested parties' (i.e. people who (a) live sufficiently close to the premises to be likely to be affected by the authorised activities; (b) have business interests that might be affected by the authorised activities; or (c) represents persons who satisfy (a) or (b)).

At this stage the decision requested of the Licensing Committee is to recommend to the Cabinet Member that the revised statement be approved for consultation. The impact of the revised statement of principles will be reassessed following the conclusion of the twelve week consultation period.

Signed (Service Manager)

Date 4/7/12

Signed (Head of Section)

Date 5/7/12