

## Supporting Information and Impact Assessment

Service / Policy:	Gambling Act 2005 Statement of Principles and Licensing Act 2003 Statement of Principles
Executive Lead:	Robert Excell
Director / Assistant Director:	Fran Hughes

Version:	1.0	Date:	3 <sup>rd</sup> November 15	Author:	Steve Cox
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<b>Section 1: Background Information</b>	
<b>1.</b>	<p><b>What is the proposal / issue?</b></p> <p>Both the Licensing Act and the Gambling Act have statutory requirements to produce a policy 'Statement of Principles', that lay out the way the Council will implement the two Acts.</p> <p>The Licensing Act 2003 lays out a licensing process for the sale or supply of alcohol, regulated entertainment and late night refreshment.</p> <p>The Gambling Act 2005 lays out a licensing process for all forms of gambling, by way of licence, permit or notification.</p> <p>Hereafter called policies.</p>
<b>2.</b>	<p><b>What is the current situation?</b></p> <p>The two current policies, expire in January 2016 so by them being agreed by Full Council in December, they can be published by the required statutory dates.</p> <p>They have both been through 12 weeks public consultation, the detail of which is laid out with the draft documents.</p>
<b>3.</b>	<p><b>What options have been considered?</b></p> <p>There is only one option as this is laid out in statute.</p>
<b>4.</b>	<p><b>How does this proposal support the ambitions and principles of the Corporate Plan 2015-19?</b></p> <p>The Licensing and Gambling Statements of Principles 2016 between them support all five of the Corporate Plan targets by either protecting children and vulnerable adults from some aspects of the two industries or by supporting a</p>

	<p>better future for Torbay.</p> <ul style="list-style-type: none"> <li>• Protecting all children and giving them the best start in life.</li> <li>• Promoting healthy lifestyles across Torbay.</li> <li>• Working towards a more prosperous Torbay.</li> <li>• Ensuring Torbay remains an attractive and safe place to live, visit and work.</li> <li>• Protecting and supporting vulnerable adults.</li> </ul>
<p><b>5.</b></p>	<p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>Everyone who runs a business for gambling, for the sale or supply of alcohol, (so including social clubs), provides entertainment or late night refreshment (with some exemptions) is affected by one or both of these policies.</p> <p>The vast majority of the public will also use such premises or have the potential be affected by their activities.</p> <p>The consultation is aimed at reaching as many of these people as possible.</p>
<p><b>6.</b></p>	<p><b>How will you propose to consult?</b></p> <p>Details are covered in the two draft policies.</p>

## Section 2: Implications and Impact Assessment

7.	<p><b>What are the financial and legal implications?</b></p> <p>Statutory function, so there are legal implications if the policies were not agreed, and this could potentially undermine the power of the Licensing Authority to make the decisions it currently makes, which could have financial implications.</p> <p>Apart from the cost of staff time and resources for the review of these policies, there are no other financial implications.</p>
8.	<p><b>What are the risks?</b></p> <p>See above.</p>
9.	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>No</p>
10.	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>Some data regarding the Cumulative Impact Area (CIA), which puts a presumption of refusal for applications within the zone (see Licensing Act 2003 policy for the area in question) in relation to crime and disorder. This data shows an increase in crime and disorder for violence against the person, so the Police would like to retain the CIA so it is included within the policy.</p> <p>In practice this only restricts vertical drinking establishments unless they can show they will not affect crime and disorder.</p>
11.	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>Very little response.</p>
12.	<p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>None</p>

## Equality Impacts

13	<b>Identify the potential positive and negative impacts on specific groups</b>  These two policies are not new, but are reviews of the existing policies. There are some small changes only. Therefore there should be no real change or impact on anyone that there isn't already under the existing policies. However small changes within the Gambling Act (GA05) do have some positive impacts potentially.		
	<b>Positive Impact</b>	<b>Negative Impact &amp; Mitigating Actions</b>	<b>Neutral Impact</b>
Older or younger people	GA05 – Requirement for local area risk assessments, so gambling business need to evaluate local risk. The policy is amended to incorporate this.		X (LA03)
People with caring Responsibilities			X
People with a disability			X
Women or men			X
People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			X
Religion or belief (including lack of belief)			X
People who are lesbian, gay or bisexual			X
People who are			

	transgendered			X
	People who are in a marriage or civil partnership			X
	Women who are pregnant / on maternity leave			X
	Socio-economic impacts (Including impact on child poverty issues and deprivation)			X
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	GA05 – Requirement for local area risk assessments, so gambling business need to evaluate local risk. The policy is amended to incorporate this.		X (LA03)
<b>14</b>	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	Ability to deliver services within the Night Time Economy to prevent crime and disorder and public nuisance are under strain due to a reduction in resources.		
<b>15</b>	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	Ability to deliver services within the Night Time Economy to prevent crime and disorder and public nuisance are under strain due to a reduction in resources from the Police, which compounds our own reductions.		