

### 3 Financial, Legal and Other Implications

#### 3.1 Financial Implications

Not applicable

#### 3.2 Legal Implications

As of 6<sup>th</sup> April 2016 those seeking to apply to the local authority for a new premises licence or a variation to a premises licence under the Gambling Act 2005 will be required to set out a Risk Assessment detailing how the operator intends to mitigate against specific risks (including where relevant the risk factors around vulnerable communities as addressed within this report); against the criteria set out in a Local Area Profile which Leicester City Council is seeking to develop and include within its Statement of Gambling Policy.

Nicki Agalamanyi  
Solicitor-Advocate  
Legal Services  
0116 4541453

The Council's emerging Local Plan is still at a draft stage. Once finalised the Local Plan will need to be consulted upon, be subject to examination by an inspector.

The report makes recommendations in relation of planning policy and development of presumptions or reasons in favour of refusal for planning applications for betting establishments and payday loan premises. In relation to any reasons for planning refusal there must be a sound planning reason for refusal following an assessment of all the material considerations in relation to an application on a case specific basis. They will, where included in the Local Plan, be subject to scrutiny and approval of the Inspector. As such the proposed recommendations would, in the event they were able to be reflected in planning policy, need to be considered against all other material considerations and could not be an overriding consideration.

As identified in the report any development of planning policy or guidance must be properly supported and developed in light of a robust evidence base.

Emma Horton  
Head of Law (Commercial, Property & Planning)  
Legal Services  
0116 4541426

### 3.3 Equality Implications

The aims of the PSED are to: eliminate unlawful discrimination; promote equality of opportunity, and foster good relations between different groups of people. The PSED requires us to give consideration to these protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The purpose of this review and recommended actions are focused on protecting vulnerable groups and communities in the city by better understanding the impact of gambling on them and their families, in particular fixed odds betting; and to better monitor the impacts of gambling on vulnerable groups and communities identified through data gathered and shared. The recommendation that the council work in partnership with both the ABB and partners in the city will help to develop a cohesive approach to sharing knowledge and determining interventions; help to foster good relations and develop a shared understanding and commitment to reducing negative impacts experienced by individuals and communities.

The Council's draft Statement of Gambling Policy support a series of outcomes for local residents that are similar in nature to one of the equality outcomes cited in the Equality and Human Rights Commission's equality measurement framework – that of safety.

It is suggested the following equality considerations from the draft statement of gambling policy should inform the proposed actions of the report:

#### **Protection of vulnerable people:**

- That the licensing objective of protecting children from harm will be promoted.
- Action will be taken to ensure the safety of vulnerable people in licensed premises.

#### **Promotion of good relations:**

- Need to clarify Support to be offered to licence applicants, licence holders and potential objectors who are socially excluded.
- Account will be taken of the effect of specific applications on community cohesion, including the need to balance the benefits of cultural and community activities with limited local disturbance.
- Action will be taken to ensure that all applications, particularly those that affect disadvantaged groups, are dealt with fairly.

#### **Access to information about licensing:**

- The Licensing Policy and associated documents will be available on the internet, and in other formats upon request to promote transparency/understanding for all stakeholders.

Sonya King Equalities Officer (Children's)  
Internal: 374132 External: 0116 4544132