

Local Area Profile

Purpose

This Local Area Profile has been developed to assist gambling establishment operators in giving due consideration to 'local risks' when applying for a licence. The aim of the profile is to allow appropriate steps to be taken to mitigate risk.

Although not compulsory, the Council decided that a Local Area Profile would give the necessary guidance to gambling operators to assist them in fulfilling their duties under the new provisions in the social responsibility code within the Licence Conditions and Codes of Practice issued by the Gambling Commission.

Gambling Act 2005

Bristol City Council is a Licensing Authority under the Act. The Licensing Authority is responsible for considering and determining applications for premises licences which offer gambling facilities within Bristol. The Licensing Authority also has a role in gambling regulation by ensuring compliance with the Act.

The Act contains three licensing objectives which guide the way that the Licensing Authority performs its functions and the way that gambling operators carry on their activities. They are:

- (a) preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
- (b) ensuring that gambling is conducted in a fair and open way
- (c) protecting children and other vulnerable persons from being harmed or exploited by gambling

The Act places a legal duty on the Licensing Authority to aim to permit gambling in so far as it thinks it reasonably consistent with the licensing objectives. The effect of this duty is that the Licensing Authority must approach its functions in a way that seeks to regulate gambling by using its powers where appropriate, for example to attach conditions to licences to moderate their impact on the licensing objectives, rather than by setting out to prevent gambling altogether.

The Licensing Authority will set out how it intends to carry out its functions under the Act in its statement of licensing principles, also known as Gambling Act 2005 Statement of Licensing Policy. This statement is kept under review and is updated every three years (as a minimum).

Background

The Gambling Commission set out guidance for Local Authorities and developed Codes of Practice, including social responsibility codes. These codes are essential in ensuring a gambling operator promotes the licensing objectives as set out by the Gambling Commission. The Council's policies have continuously been developed in relation to these codes and guidance.

In April 2016, The Gambling Commission introduced new Social Responsibility Code provisions within the Licence Conditions and Codes of Practice (LCCP). These provisions require gambling operators to **assess the local risks** to the licensing objectives posed by the provision of gambling facilities, and to have in place appropriate policies and procedures to mitigate these risks.

From 6 April 2016, all gambling operators must take action as per the code. The Social Responsibility Code Provision 10.1.1 is as follows;

Assessing local risk

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences.

1 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.

2 Licensees must review (and update as necessary) their local risk assessments:

- a) to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
- b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c) when applying for a variation of a premises licence; and
- d) in any case, undertake a local risk assessment when applying for a new premises licence.

In essence, all premises that provide facilities for gambling must be assessed to identify any local risks posed by the provision of gambling facilities in their local area. Operators should carry out assessments for;

- **New Premises Licence applications**

If an operator intends to apply for a new premises licence under Part 8 of the Act then a local risk assessment must be carried out as required by the Commissions LCCP social responsibility code provision 10.1.1. That assessment should be based on how the premises are proposed to operate at the premises location and must take into account the local area. The completed assessment should be provided with the application for a new premises licence upon submission to the Licensing Authority.

- **Premises situated in an area where significant changes occur**

Operators are required to review their local risk assessment if significant changes in local circumstances occur. Changes to local circumstances happen frequently and can be either temporary or permanent depending on the change, how long that change will remain in place and how it affects the local area. However, the requirement for review of the risk assessment is only applicable when that change is significant.

The review of the premises risk assessment may simply mean that after review no action is necessary as the measures and systems already in place will mitigate any risk associated with that significant change. In this case gambling operators may record that a review has taken place, why it had occurred and that no action was necessary. This would enable the gambling operator to maintain an appropriate audit trail so as to demonstrate that action had been taken.

However, on occasions the significant change in local circumstances may require a need to update and amend the existing risk assessment. In those cases gambling operators may wish to ensure that their assessments are updated adequately and that any relevant control measures are introduced correctly.

The Gambling Commission has not set out what a 'significant change' means, therefore it is the operator's responsibility to identify this and review the risk assessment accordingly.

- **Premises where significant changes occur**

From time to time operators will undertake a refresh of the premises' layout and décor, which is unlikely to prompt a review of the risk assessment for that premises. However, where there is a significant change at the premises that may affect the mitigation of local risks, then an operator

must review its risk assessment and if necessary update it, taking into account the change and how it may affect one or more of the licensing objectives.

It is expected that gambling operators will undertake this risk assessment process as a matter of course for any premises refit, changes to layout or internal control measures. If any changes do require a review of the risk assessments for that premises gambling operators should ensure that they have a system in place to record and action any measures identified in that review.

- **Variation to the Premises Licence**

Variations to premises licences are only those required to be made under section 187 of the Act and will not include changes of circumstances such as a change of premises' name or a change of licensee's address, etc.

The Commissions LCCP social responsibility code provision 10.1.1 requires that gambling operators must undertake a review of the local risk assessment and update it if necessary when preparing an application to vary the premises licence. Operators submitting a variation application to the Council may consider submitting a copy of the reviewed local risk assessment when submitting the application. This will then negate the need for the Council requesting to see a copy of this risk assessment and could potentially reduce the likelihood of a representation being made to the application.

If an operator wishes to vary a converted casino premises licence from one premise to another then the gambling operator should consider producing a new risk assessment for that premises. It is advisable that a copy of that assessment is submitted to the Council with the application form.

- **Regular reviews of the risk assessment**

As a matter of best practice the Council recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme can be carried out alongside other reviews on Health and Safety risk assessments for the premises. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.

It will be up to the gambling operator as to the frequency of these reviews but it is recommended that no more than three years should pass before these assessments are reviewed.

To be clear however, this local risk assessment process is not the same as other forms of risk assessment undertaken by gambling operators, such as Health and Safety at Work, Fire Safety and Food Hygiene, etc. These local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They are specific to the premises, the local area and the local community.

Writing a Risk Assessment

It is ultimately up to the operator to decide how to conduct the assessment, and who should conduct the assessment, although it should be taken into consideration that failure to carry out this function properly could result in a breach of the provisions of the LCCP.

There are two specific parts to the risk assessment process:

- the assessment of the local risks
- the determination of appropriate mitigation to reduce those risks

The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. Gambling operator should identify and list all of the local risks within the assessment that they have identified. The level of such risks can range from

being low to very high depending on the potential impact that the gambling operator has assessed it to have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

An operator should consider the following factors when undertaking their local risk assessment;

- **Local Area Risks**

The assessor could make use of local area data from the Bristol City Council profiles (situated within this document), to identify potential factors for risk in the area surrounding the premises, along with gathering an understanding of the specific characteristics of the local area, and the people who live and work there.

The Council will expect the local risk assessment to consider as a minimum;

- The location of services for children, such as schools, playgrounds, leisure/community centres and other areas where children will gather
- Where children are permitted on the premises or part of the premises any additional risks associated with potential access by children to gambling.
- The location of health related services such as hospitals, clinics or health centres. In particular operators should consider any mental health services, services for people with learning disabilities, drug, alcohol or gambling dependency services, or other services for vulnerable groups.
- The demographics of an area in relation to vulnerable groups
- The demographics of the area in relation to notices and guidance that will feature in the premises, specifically whether there is a need to have notices and guidance available in different formats or languages.
- Whether the premises is in an area subject to high levels of crime and disorder and/or anti-social behaviour.
- Whether there are any other gambling premises in the area.
- Whether there are any alcohol licensed premises in the area.
- Any relevant safeguarding factors.
- Local Risk Assessments should show how vulnerable people including people with gambling dependencies are protected
- This list is not exhaustive and operators should include any relevant local risks which they believe may impact on the licensing objectives.

- **Gambling Operational Risks**

In assessing the risk factors associated with a gambling operation the assessor should take into account the local risks which are commonly accepted by broader stakeholders and how that gambling operation may affect that risk.

They should also consider the operational policies and procedures the business already has in place, the Act, and the LCCP.

It is likely that the identification of risks associated with this element of the assessment will be broadly similar across premises run by the same operator, with appropriate local factors considered. The types of measures put in place will depend on the size of the organisation, type of gambling provided, and operational policies of the organisation.

- **Premises Design Risks**

The physical design of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. In assessing the risk factors associated with the premises design and layout reference is needed to the local area risks factors already identified to ensure the design doesn't add to that risk. The design, both internal and external should be considered and specific risk factors identified and noted.

The internal design and layout will reflect the premises operation and the type of gambling facilities that it offers. Operators should assess the risk presented by the internal layout of the premises and the location of gambling facilities within them. Simple adjustments or changes to layout early in the process can significantly reduce the risk to the licensing objectives.

The exterior of the premises is equally significant and should be carefully considered when assessing premises. Issues such as large glass frontages in areas of high vandalism may feature in the risk assessment and impact the design of the exterior of the premises.

Control Measures

Once the risk factors have been identified, the assessor should seek to identify control measures that would mitigate the identified risks. Depending on the nature of the risk factors, the control measures identified to mitigate the perceived risk may be a combination of systems, design and physical measure.

Control measures that relate to systems may be measures that have been put in place through policies and procedures. These may either be systems that are applied to all of the operator's premises, or have been put in place for an individual premises to deal with a specific local risk factor.

Design control measures are measures that are built into the design of the premises. These can include the location of gambling facilities and the design and location of cashier counters within the premises, and the exterior design of premises.

Physical control measures relate to specific physical measures that will address an identified risk factor. These physical control measures may, for example, include alarms, CCTV cameras, doors, magnetic locks, time locks on safes, spit kits, window shutters, fogging systems, UV lights in toilets.

Action Plan

Once the assessment has been carried out an action plan should be completed so that any identified actions are documented and a deadline for completing the required piece of work is set and agreed. The control measures must be implemented on the premises and, if applicable, staff on the premises should be trained in their use or trained on the new policy or procedure. The assessment must be retained and should be reviewed whenever a trigger occurs or as part of a regular review regime

Bristol Profile

Geographical facts

- The population of Bristol is estimated to be **449,300** people.
- At **42** square miles, Bristol is the largest city in the south west and one of the ten 'core cities' in Great Britain.
- The city is divided into **34** Wards.

In June 2017, Bristol City Council developed an extensive dataset of profiles containing statistical information by Ward. Each document contains statistical information in relation to population, deprivation, quality of life, health and wellbeing, life expectancy, child poverty, crime, education, social care, housing and ethnicity, and can be viewed on the Councils website at <https://www.bristol.gov.uk/statistics-census-information/new-wards-data-profiles>

The Council also developed an online dataset of profiles enabling a user to search for information by postcode. This can be accessed at <http://ias.bristol.gov.uk/>

It is recommended as part of research when writing a risk assessment, analysis of the area is undertaken by use of the online dataset profiles. This information is reviewed regularly by other areas of the Council.

As a further means of assistance, information on the number of premises currently licensed by ward can be found below.

Gambling Premises

There are a number of gambling premises in place in Bristol (as of 7 July 2017);

Betting (Non Track)	59		
Ashley	3	Hengrove & Whitchurch Park	3
Avonmouth & Lawrence Weston	4	Hillfields	1
Bedminster	1	Horfield	3
Bishopston & Ashley Down	3	Hotwells and Harbourside	0
Bishopsworth	0	Knowle	2
Brislington East	0	Lawrence Hill	3
Brislington West	1	Lockleaze	1
Central	7	Redland	1
Clifton	0	Southmead	1
Clifton Down	1	Southville	6
Cotham	0	St George Central	1
Easton	3	St George Troopers Hill	0
Eastville	1	St George West	1
Filwood	1	Stockwood	1
Frome Vale	3	Stoke Bishop	0
Hartcliffe & Withywood	2	Westbury on Trym & Henleaze	2
Henbury & Brentry	1	Windmill Hill	2
Betting (Track)	1		
Bedminster	1		
Casinos	5		
Central	2		
Hotwells & Harbourside	3		

Adult Gaming Centres **8**

Central	1
Easton	2
Knowle	1
Southville	4

Bingo Halls **3**

Eastville	1
Filwood	1
Knowle	1

Gaming Machine Permits at Licensed Premises	47
Gaming Notifications at Licensed Premises	231

Family Entertainment Centres	3
Non Commercial Society Lottery Registrations	73

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