

**Manchester City Council
Report for Information**

Report to: Licensing Committee – 7 September 2015
Subject: Licensing Update
Report of: Head of Planning, Building Control & Licensing

Summary

The report provides the Committee with information on proposed revisions to the Council's policies under the Licensing Act 2003 and Gambling Act 2005. The report also provides the Committee with information regarding a project exploring local area-based vulnerability to gambling-related harm.

Recommendations

That Members note the report.

Wards Affected: All

Community Strategy Spine	Summary of the contribution to the strategy
Performance of the economy of the region and sub region	Licensing plays a key strategic role in ensuring the sustainable economic growth and transformation of the city, whilst also ensuring the city is clean and safe. Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
Reaching full potential in education and employment	
Individual and collective self esteem – mutual respect	
Neighbourhoods of Choice	Licensing plays a key strategic role in ensuring that appropriate safeguards are in place for our communities.

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
 - Risk Management
 - Legal Considerations
-

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

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Background documents (available for public inspection):

Copies of these documents are available up to 4 years after the date of the meeting.
If you would like a copy please contact one of the contact officers above.

1.0 Introduction

- 1.1 The report provides the Licensing Committee with a brief overview of topical information relevant to premises licensing functions of the licensing authority.

2.0 Consultation on revised Statement of Policy under Licensing Act 2003

- 2.1 On 1 July 2015, the Licensing Policy Committee approved the draft revised Statement of Licensing Policy to go out to public consultation.
- 2.2 Members will be aware that our licensing policy is a statutory consideration in the determination of all licensing applications where representations are received. The policy must be reviewed a minimum of every 5 years and the next revision is due to come into effect in January 2016.
- 2.3 The Policy sets out the vision for licensed premises in Manchester. By setting out this vision and the factors relevant to achieving it, the Policy outlines to licence applicants, responsible authorities, interested parties as well as the Licensing Committee and Magistrates (upon Appeal) how Manchester City Council, as the Licensing Authority, will exercise its licensing function.
- 2.4 Licensing plays a key strategic role in ensuring the sustainable economic growth and transformation of the city, whilst also ensuring the city is clean and safe, and that appropriate safeguards are in place for our communities. Through promotion of the licensing objectives and ensuring well-run licensed premises as part of a vibrant, diverse leisure and night time economy; the policy aims to realise the ambition for Manchester to be a world class city with sustained economic growth and better lives and opportunities for residents.

Main Revisions to the Policy

- 2.5 With this revision, the Statement of Licensing Policy has been refined to provide a more accessible and clearer guide to how Manchester will exercise its licensing functions under the 2003 Act. The revised policy is based upon a variety of best practice, input from Responsible Authorities, ongoing feedback from trade and residents in Manchester on the operation of the current policy, practical experience, as well as statistical data.
- 2.6 The revised policy continues the aims of the existing policy to promote:
- Desirable destinations for a wide range of age groups
 - Licensed premises suitable for the neighbourhood within which they are located and which support the neighbourhood plan
 - Diversity of entertainment throughout the City which appeals to a wider audience
 - A wide range of uses of premises
- 2.7 The current version of the Licensing Policy is built around 5 “Key Factors”, which are considered the primary issues the Licensing Authority will have regard to. These Key Factors are:

- What We Aim to Encourage
 - Hours for Licensed Premises
 - The Location of Licensed Premises
 - Standards to Promote the Licensing Objectives
 - Off Sales of Alcohol
- 2.8 These Key Factors have been revised into 3:
- What We Aim to Encourage
 - Local Factors
 - Standards to Promote the Licensing Objectives
- 2.9 The section 'What we aim to encourage' has been expanded to include participation in good practice initiatives, rather than being focused on premises/business 'types', as previous.
- 2.10 The new 'Local Factors' section provides an amalgamation of the previous 'Hours' and 'Location' Key Factors, in recognition that the two issues are typically interlinked when considering the likely impact of licensed premises upon the locality. The Policy seeks to better align with the priorities of local areas as set out in Ward and District Centre Plans and makes provision for regard to be had to such strategies and a consistent approach taken insofar as doing so is consistent with the promotion of the licensing objectives.
- 2.11 The Standards have been redefined to be more comprehensive in line with current good practice, and are no longer separated under the four licensing objective headings, recognising that operating standards will typically be relevant to more than one of the objectives. Therefore, the standards are now grouped together to support a holistic approach to ensuring high quality management and operation of licensed premises.
- 2.12 Standards in relation to ensuring the wellbeing of children on the premises, as well as the responsible service of alcohol have been particularly strengthened. Measures relevant to legal highs have also been incorporated.
- 2.13 The Off Sales of Alcohol had been removed as any such relevant considerations are now incorporated by the 'Local Factors' and 'Standards'.
- 2.14 A new section relating to 'Alcohol Delivery Services' has been added to address the specific considerations relevant to the operational practices of such businesses.
- 2.15 Information relevant to child sexual exploitation (CSE) and the Equalities Act 2010 have been incorporated, as well as the Late Night Levy and Early Morning Restriction Orders (EMRO's) has also been incorporated. A further section has been added to address the changes to regulated entertainment brought in by the Live Music Act 2012 and the changes made by the Deregulation Act 2015.

2.16 There have been no revisions to the special policies for Fallowfield or the Withington Stress Area and it is proposed both are retained in their existing form.

2.17 A copy of the draft policy is attached at Appendix 1. The consultation is open until 25 September and is available on the 'Consultations and Surveys' page of the Council's website.

3.0 Consultation on revised Statement of Policy under Gambling Act 2005

3.1 On 1 July 2015, the Licensing Policy Committee approved the draft revised Statement of Policy to go out to public consultation.

3.2 Members will be aware that our licensing policy is a statutory consideration in the determination of all licensing applications where representations are received. The policy must be reviewed a minimum of every 3 years setting out how it intends to implement the Act.

3.3 Our current policy is in effect until January 2016 and so the next version is required to be in place from then. Following changes to the regulatory landscape, gambling operators are required to have in place local risk assessment with effect from April 2016.

3.4 In preparation for this, the Licensing Authority has commissioned research to help underpin a policy approach in accordance with the risk-based approach.

3.5 However, the research is only scheduled to complete in September 2015. The timescales involved in implementing a new policy statement would not enable the authority to have a revised policy in place for January 2016, as statutorily required, that incorporated the outcomes of the research project.

3.6 Therefore, it is proposed to re-instate the existing policy with effect from January 2016 on an interim basis, before producing a full revised new policy incorporating the new risk-based approach to be in effect from April 2016 when the new provisions go live.

4.0 Research exploring area-based vulnerability to gambling-related harm.

4.1 The third licensing objective of the Gambling Act 2005 is:

- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.2 The Council has been looking at identifying who is vulnerable to gambling related harm and how this is relevant to Manchester. To do this the Council has partnered with Westminster City Council and the Local Government Association to commission a project exploring area-based vulnerability to gambling-related harm.

- 4.3 Gambling behaviour and who experiences harm from gambling varies among different types of people. This includes characteristics relating to the person, such as their age, gender or intellectual functioning, those relating to personal circumstances, such as employment or income, those relating to where people live, such as deprived areas, and the political landscape in which gambling is provided and regulated.
- 4.4 To date, there has been little investigation about who may be vulnerable or why. Information about the characteristics of who is more or less vulnerable to gambling-related harm has only been considered in very general terms using evidence from large-scale national surveys, such as the British Gambling Prevalence Survey (BGPS). How vulnerability and harm may vary at a local level has not been explored. This project aims to help fill this gap. The aims of this project are as follows:
- to explore and document the range of characteristics that suggest someone is vulnerable to harm from gambling,
 - to investigate how these characteristics can be measured at a local level, using a range of different data, and
 - to develop a local risk index model showing areas where those who may be more vulnerable to harm are located.
- 4.5 The project will explore models of area based vulnerability to gambling-related harm and aims to map our results visually, so that areas of potential risk are highlighted, with the view that this information is used by the Council, as the licensing authority, and industry when making decisions about the location of gambling venues, helping them to think through the specific needs of local communities and enabling them to work together to develop plans to protect vulnerable people.
- 4.6 The outcomes will be used to guide the Council's policies relating to the licensing of gambling premises but it can also be used to support the industry in identifying local areas of risk to gambling, and care providers can use it for targeted intervention for care provision, education and treatment.
- 4.7 We have commissioned Geofutures: Gambling and Places Research Hub to undertake the project. Geofutures is an independent research house specialising in statistical analysis and mapping of complex data. The company has built its gambling data experience working with organisations including the Responsible Gambling Trust, The Campaign for Fairer Gambling and Channel 4 Dispatches, and has partnered with market researchers NatCen who produce the regular Gambling Prevalence Survey. Geofutures established the Gambling and Place Research Hub by partnering with Dr Heather Wardle, who formerly led gambling research at NatCen Social Research, to investigate the relationships between gambling behaviour, location and community.
- 4.8 The outcomes are being shared with industry groups; care providers, local residents and other key stakeholders. The Phase 1 report which explores and documents the range of characteristics that suggest someone is vulnerable to

harm from gambling, was published in July 2015 and was presented at an arranged event in London. A copy of the report is attached at Appendix 2.

- 4.9 The project is scheduled to complete in September 2015, where the maps setting out the area-based vulnerability locally for Manchester and Westminster will be delivered.

5.0 Contributing to the Community Strategy

5.1 Performance of the economy of the region and sub region

Licensing plays a key strategic role in ensuring the sustainable economic growth and transformation of the city, whilst also ensuring the city is clean and safe. Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.

5.2 Reaching full potential in education and employment

5.3 Individual and collective self esteem – mutual respect

5.4 Neighbourhoods of Choice

Licensing plays a key strategic role in ensuring that appropriate safeguards are in place for our communities.

6.0 Key Policies and Considerations

- 6.1 The report deals with revisions to the Council's Statements of Policy under the Licensing Act 2003 and Gambling Act 2005.

7.0 Conclusion

- 7.1 The report provides information to the Committee on current issues relevant to premises licensing. It is envisaged that the availability of this information will assist decision making and local policy formation in respect of licensing issues.
- 7.2 The Committee is asked to note the report.

Manchester Statement of Licensing Policy 2016–2021

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Foreword by Leader

Manchester is one of the UK's most successful cities and we want to become one of the most successful cities in the world. Manchester's vibrant leisure and night time economy plays an important role in its success; contributing to economic growth and investment in the city, increased employment, and a diverse cultural and leisure offer is important in enhancing the reputation of the city.

This policy respects the key role that licensed premises play in the city and continues to ensure they positively contribute to the city. We want high quality licensed premises and events, which we will achieve through ensuring the four licensing objectives are promoted with high standards of operation and appropriate safeguards in place.

Licensed premises also play a key role in where people choose to live and work. Our aim is to create neighbourhoods of choice throughout the city. Manchester is a diverse city and local issues and priorities can vary greatly from area to area. This licensing policy seeks to complement local aspirations and operators are encouraged to have regard to and support achieving our ambitions for the city.

We continue to recognise the impacts that licensed premises can have, particularly within our neighbourhoods, and have identified particular areas of Manchester that are subject to Special Policy approaches to ensure the balance can be maintained between the leisure economy and other needs of our communities. However, these represent a specific response to particular circumstances, and not something we would expect to see widespread throughout the city.

We remain committed to working in partnership with the trade and trust this approach is reciprocated in order to continue the growth, success and vitality of the city.

Richard Leese

Leader of the Council

1 Introduction and Guide to Manchester's Licensing Policy

- 1.1 This Statement of Licensing Policy (hereafter referred to as the 'Licensing Policy') is published under section 5 of the Licensing Act 2003 and states how Manchester City Council as the licensing authority will exercise its licensing functions in order to promote the four licensing objectives which are:
- The prevention of crime and disorder
 - The prevention of public nuisance
 - Public safety
 - The protection of children from harm
- 1.2 The aims of this Licensing Policy are to pursue and promote those objectives, whilst encouraging a night-time economy that is vibrant, diverse and successful with high standards of management and operation. We recognise that licensed premises play an important role in ensuring the vitality and prosperity of the city in terms of economic growth, additional employment opportunities and improved physical environments.
- 1.3 We aim to achieve:
- Desirable destinations for a wide range of age groups
 - High quality licensed premises with permitted hours and activities appropriate for their locality
 - Innovative experiences that will enhance the city's cultural offering and reputation
 - A vibrant and diverse world-class leisure and night time economy in the city centre
- 1.4 However, if premises are not managed responsibly, they can also impact negatively on an area due to causing environmental problems including flyposting, littering, street urination, crime and disorder, vandalism, and public nuisance issues such as noise problems. Through this Licensing Policy, we have set out how we will prevent and address such issues.

Guide to the Policy

- 1.5 The Policy uses technical terms relevant to the Licensing Act 2003. These will be explained throughout the document, but the Glossary at Appendix 6 may also be a useful reference.
- 1.6 Section 2 describes how the policy integrates with other related strategies for the city.
- 1.7 Section 3 sets out a summary of the licensing system and the functions of the licensing authority.

- 1.8 Section 4 (Operation of the Policy) sets out how this Licensing Policy is intended to be used in practice for licence applications and licensed premises. All parties intending to use the policy, including licensees, local residents and licensing practitioners, may initially wish to refer to this section so they can understand the expectations of the authority.
- 1.9 Manchester City Council is committed to creating Neighbourhoods of Choice throughout the city. Licensed premises are an integral part of our communities and this Licensing Policy is a key tool in ensuring the different circumstances of our neighbourhoods are taken into account when considering licence applications. After careful consideration, the Council has set out appropriate measures consistent with achieving this goal. Special policies in respect of specific areas of the city in Section 5.
- 1.10 The licensing authority has a range of licensed premises and initiatives it aims to encourage (in order to help positively develop the leisure and night time economy in Manchester. Section 6 sets these out.
- 1.11 Section 7 sets out a range of wider considerations to be taken into account that are relevant to the location and hours of licensed premises across the city. The licensing authority is keen to promote high standards in licensed premises and has set out the management standards expected at Section 8 as well as setting out the circumstances they would be considered appropriate for the promotion of the licensing objectives.
- 1.12 The authority has set out specific consideration it will give to Alcohol Delivery Services (Section 9), the provision of adult entertainment at premises (Section 10) and external areas licensed to place tables and chairs on the public highway (Section 11).
- 1.13 Section 12 sets out specific considerations relevant to the holding of large scale public events e.g. festivals and concerts to ensure their delivery in accordance with the licensing objectives.
- 1.14 Section 13 provides information about personal licences; required to authorise sales of alcohol, and Section 14 details the temporary event notice process authorising licensable activities on a temporary basis in the absence of a licence. Section 15 deals with Designated Premises Supervisors; who must be in place for licensed premises in order to permit the sale of alcohol.
- 1.15 Where licensed premises fail to promote the licensing objectives, the licensing authority will take appropriate steps to address any such licence-related issues (See Section 16 – Enforcement and Monitoring).
- 1.16 Section 17 deals with minor variations for non-contentious changes to licences, and Section 18 sets out how the authority approaches the awarding of age-rated classifications where no BBFC certification is in place for any film to be publicly exhibited in Manchester.

- 1.17 Contact details for the Licensing Unit and all Responsible Authorities in Manchester under the Licensing Act 2003 are set out in Appendix 1.
- 1.18 Local residents and businesses have an important role under the Licensing Act 2003 and are able to have their say in respect of licence applications and the operation of licensed premises in their area. Further details are provided in Appendix 2 (Relevant information for residents and other persons), including:
- Finding out about new licence applications
 - How they can make representations (either against or in support of an application)
 - Finding out about existing licences in their area using the Licensing Register
 - The importance of residents in the application process
 - Issues that could be considered as relevant to the promotion of the licensing objectives
 - Requesting a local councillor to represent them
 - What action to take in respect of licensed premises that are causing problems
- 1.19 Appendix 3 sets out the mandatory conditions that apply by law to all premises licences and club premises certificates.
- 1.20 Appendix 4 sets out the process for community premises to disapply certain mandatory conditions, such as the requirement for a designated premises supervisor.
- 1.21 Appendix 5 sets out how the Council, as the licensing authority, has delegated its licensing functions.
- 1.22 Appendix 6 provides a glossary to explain many of the terms used in this document.
- 1.23 Appendix 7 (Fallowfield/Wilmslow Road) and Appendix 8 (Withington Stress area) set out maps for those areas that are subject to special policies in Section 5 of the policy.

2 Implementation of this Statement of Licensing Policy

- 2.1 This Licensing Policy took effect from XX January 2016. It will be formally revised in accordance with any Government regulations – currently every five years as a minimum. However, the Council will keep this statement under continual consideration and may review it at any time following its implementation should this be considered necessary.

Consultation for the Licensing Policy

- 2.2 In accordance with section 5(3) of the Licensing Act 2003, the following were consulted in respect of the formulation of this Licensing Policy:
- The chief officer of police for the licensing authority's area
 - The fire authority for that area
 - Such persons the licensing authority considers to be representative of holders of Premises Licences issued by that authority
 - Such persons the licensing authority considers to be representative of holders of club Premises Certificates issued by that authority
 - Such persons the licensing authority considers to be representative of holders of Personal Licences issued by that authority
 - Such other persons the licensing authority considers to be representative of businesses and residents in its area

Integration with other strategies

- 2.3 While the overarching aim of this policy is to promote the licensing objectives, it is acknowledged that there are other key Council policies in place to help Manchester realise its status as a world-class city. Therefore, this Licensing Policy integrates as far as is reasonably possible with those strategies in order to help Manchester realise that goal.

Refreshed Greater Manchester Strategy

- 2.4 The vision articulated in the Strategy is that by 2020, the Manchester City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener city region where all our residents are able to contribute to and benefit from sustained prosperity.
- 2.5 The outcomes it is seeking to achieve are that Greater Manchester is:
- One of Europe's premier city regions

- Competing on the international stage for talent, investment, trade and ideas
 - Where all people are valued and able to fully participate in and benefit from the city region's success
 - Known for our good quality of life, low carbon economy and our commitment to sustainable development
 - A city-region where every resident, neighbourhood and borough can contribute to and benefit from our sustainable future
 - Continued growth into a fairer, healthier, safer and more inclusive place to live
 - Focused and collegiate leadership based around collaboration and partnerships
- 2.6 The strategic priorities are focused around the twin pillars of Growth – how we create the right conditions and support businesses within Greater Manchester - and Reform – where we need to reduce worklessness and improve the skills base of those living in Greater Manchester and at the same time encourage self-reliance and reduce the demand for public services.

Community Strategy

- 2.7 The Manchester Sustainable Community Strategy 2006–2015 is the overarching partnership strategy within Manchester. Its role is integrating social, economic and environmental strategies to create sustainable communities – places where people choose to live.
- 2.8 From the many surveys and consultations with residents, community and voluntary organisations, Manchester City Council knows that the environment, education, training, poor health and antisocial behaviour are considered to be the most important issues that need to be addressed. The Community Strategy has translated these concerns and ambitions into a single vision and set of priorities for the city. Key to achieving these is to create the conditions for sustainable economic success.
- 2.9 This Licensing Policy aims to contribute to this vision through promoting a wider range of high-quality attractions that encourage an increased range of customers in order to lead to longer-term economic viability. Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. Additionally, effective regulation plays an essential role in enabling businesses to thrive and maximise their contribution to the economy of the region and sub region.

Cultural Strategy

- 2.10 The vision for Manchester's cultural development is set out in its 'Cultural Ambition', which provides an updated framework for the original Cultural Strategy. Set out by the Manchester Cultural Partnership (<http://www.manchesterculturalpartnership.org/>), it aims to set the bar high for Manchester setting the vision for Manchester to be a world-class city – vibrant and innovative – attracting interest and visits from across

the globe. The policy aims to encourage premises and events that will achieve this ambition as set out in Section 6.

Manchester Community Safety Strategy

2.11 This strategy establishes 8 thematic priorities in respect of :

Priority 1: Tackling antisocial behaviour, in particular youth nuisance

Priority 2: Tackling alcohol and drug related crime. Alcohol and drug misuse are recognised as key drivers of crime, disorder and antisocial behaviour

Priority 3: Changing offender behaviour (alcohol referrals)

Priority 4: Protecting vulnerable people (CSE, drunkenness)

Priority 5: Tackling serious and organised crime (OCG, associations with licensed premises)

Priority 6: Tackling the crimes that are committed most frequently and which have the most impact on communities

Priority 7: Tackling hidden crimes and behaviours (CSE)

Priority 8: Making the City Centre safer

2.12 The Standards set out in Section 8 directly address all of these priorities. Through the application of these standards on licensed premises, the Licensing Policy will contribute to the achievement of the Community Safety Strategy.

The Core Strategy

2.13 The Core Strategy describes Manchester today and outlines the Council's vision for Manchester in 2027. Manchester is served by a diverse network of City, district and local centres. Not every centre supports a broad range of uses and therefore an important policy element of the Core Strategy is to define a centre hierarchy, recognising roles that different centres play within certain areas and where some centres complement each other within their own network

2.14 The vision for Manchester's centres, as contained in the Core Strategy and Strategic Regeneration Frameworks emphasises support for on-going investment, seeking to bolster the quality of services available and maximise opportunities for employment creation through commercial activity and provision of services close to homes and local communities. Within this vision, centres should become places that support a variety of complementary but mixed uses. However, control is also needed to ensure that the mix of uses is appropriate; there are uses that can have a detrimental impact on the character of both centres and their wider neighbourhoods. The licensing authority has a vital role in exercising this control.

- 2.15 As the licensing authority, our approach to carrying out our licensing functions will seek to align with the strategic objectives set out in the Strategy. This will be achieved through imposing conditions in line with actions set out in any Regeneration Framework, Local or Ward plan for the area where the premises is situated insofar as they are consistent with the promotion of the licensing objectives. This is set out in Section 7, 'Local Factors'.
- 2.16 District centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. Manchester's 17 district centres are shown below:
- North (Cheetham Hill, Harpurhey)
 - East (Eastlands, Gorton, Newton Heath, Openshaw)
 - Central (Hulme, Longsight, Rusholme)
 - South (Chorlton, Didsbury, Fallowfield, Levenshulme, Withington)
 - Wythenshawe (Baguley (West Wythenshawe), Northenden, Wythenshawe Town Centre)

The Manchester Alcohol Strategy

- 2.17 The overarching purpose of the Manchester Alcohol Strategy 2014-17 is to reduce demand on public services and address complex dependency issues through early intervention and prevention activity. In order to achieve this, it will seek to deliver three interlinked outcomes
- Reducing alcohol-related crime, antisocial behaviour and domestic abuse
 - Reducing alcohol-related health harms
 - Establishing diverse, vibrant and safe night-time economies
- 2.18 The Licensing Policy addresses key elements of the Alcohol Strategy by ensuring the effective regulation of licensed premises. The Standards in Section 8 will ensure responsible retailing, such as preventing drunkenness and restricting access to alcohol to underage persons amongst other things. This Policy also sets out a firm commitment to promote and encourage a diverse, safe and vibrant night time economy in Manchester.

Contributing to achieving wider aspirations

- 2.19 The licensing authority recognises there is no public health licensing objective and therefore cannot conduct its licensing function in order to promote public health. The

licensing function can only be carried out to promote the four licensing objectives as set out by the Licensing Act 2003.

- 2.20 Manchester has one of the highest rates in England for alcohol-related hospital admissions, which have increased by 15% over recent years. Rates of alcohol-related deaths are also higher in Manchester than the North West and England averages.
- 2.21 The licensing authority seeks to protect the quality of life for people in Manchester and hopes that through the implementation of this Licensing Policy, the promotion of the four licensing objectives will in turn have a positive effect on preventing alcohol misuse in the city. For example, as well as positively impacting upon crime and disorder, nuisance, harm to children and improved public safety; controlling the premises selling alcohol should positively impact on the levels of alcohol-related health harm. Additionally, preventing the use or supply of illegal drugs and new psychoactive substances on licensed premises, is hoped to reduce drug-related health harm.
- 2.22 The Council's priorities in respect of getting citizens in employment and improving skills are important issues for the city. Licensed premises play an important role in employment in the city, particularly of young people, providing them with training and experience to further develop careers.
- 2.23 However, it is recognised that whilst any such positive impact may incidentally arise from the licensing authority conducting its licensing functions; it shall not be the purpose of authority under the Act, which is to promote the licensing objectives.

Working to prevent the threat of terrorism

- 2.24 Terror attacks have previously been targeted at bars, pubs and nightclubs in the UK. All premises are expected to have regard to the National Counter Terrorism Security Office (NaCTSO) publication 'Counter Terrorism Protective Security Advice for Bars, Pubs and Nightclubs'.
- 2.25 Licensed premises in the city centre are expected to be prepared in accordance with the City Centre Emergency Evacuation Plan:

http://cityco.com/media/uploads/2014/12/09/FINAL_City_centre_evacuation_maps_BUSINESS.pdf

Tackling Child Sexual Exploitation

- 2.26 The licensing authority is committed to protecting children from harm. To this end, the Council's licensing team works with Children's Services during the development of licensing policy where the protection of children is concerned. Intelligence sharing and the exchange of current strategy developed by the Safeguarding Children Board ensure that the protection of children from harm is proactively addressed. The Licensing Authority is aware that alcohol use, misuse and abuse is one of the

recurring key 'parental factors' in child protection and safeguarding, often contributing to parental neglect of children and domestic abuse and violence within families.

- 2.27 Alcohol is also often a factor in child sexual exploitation (CSE), where young people may be encouraged or coerced to drink, or alcohol may be a factor in risk taking behaviour by young people who drink irresponsibly and then get involved in activities that otherwise they would not. Nationally, evidence has been found of the sexual exploitation of children taking place on licensed premises, or licensed premises being used for the purposes of grooming and enticement.
- 2.28 Manchester Safeguarding Children Board (MSCB) works with other statutory authorities and the licensing trade to promote risk management in relation to child sexual exploitation. The MSCB can provide advice to assist licensees to identify risk and report concerns at different types of licensed premises so that children remain safe and businesses operate responsibly.
- 2.29 The Licensing Authority encourages licence holders and operators of licensed premises:
- To ensure that they are fully aware of the signs of child sexual exploitation and to understand that the sexual exploitation of a child is sexual abuse and a crime; and
 - To raise the awareness of their staff about child sexual exploitation and provide intelligence to the appropriate authorities about concerns and about perpetrators who may be operating in their areas.
- 2.30 MSCB has a webpage dedicated to providing local information about child sexual exploitation policies and procedures including risk factors and signs and symptoms:
<http://www.manchesterscb.org.uk/cse.asp>
- 2.31 Nevertheless, the licensing authority has taken account of the view of the Government that the use of licensed premises by children should be encouraged where appropriate.

Promotion of equality

- 2.32 When drafting this policy, the Equality Act 2010 (the Act) has been considered and applied.
- 2.33 The Act brings together all the legal requirements on equality that the private, public and voluntary sectors need to follow, replacing all previous equality law such as the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995.
- 2.34 The Act protects people from discrimination, harassment and victimisation on the basis of their 'protected characteristics'. These are: sex (gender); gender reassignment; race; disability; sexual orientation; age; religion or belief (or lack of religion or belief); pregnancy and maternity and; marriage or civil partnership.

2.35 Under section 149 of the Act, 'the Public Sector Equality Duty', public bodies like Manchester City Council need to have 'due regard' in everything that they do to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

2.36 Having due regard involves the Council:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

2.37 The values of a fair and equal society that underpin the Act are at the heart of the Council's ambitions for the city. The authority will ensure that premises are licensed in a manner consistent with the responsibilities under the Act to deliver the best equality outcomes for the city that it can.

3 The Licensing process

- 3.1 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003.

The Licensing Committee and its delegation of functions

- 3.2 In accordance with the Licensing Act, Manchester City Council has established a Licensing Committee consisting of 15 Council members. Where relevant representations are made against an application (and not withdrawn), the application shall be determined by a subcommittee constituting of three members of the Licensing Committee at a hearing.
- 3.3 Full details of the delegation structure for the Licensing Committee are contained in Appendix 5.

Duplication with other regulatory regimes

- 3.4 In exercising its licensing functions, the licensing authority shall, as far as possible, avoid attaching conditions that duplicate with any other existing legislation and regulatory regimes that already place obligations on employers and operators

Responsible Authorities

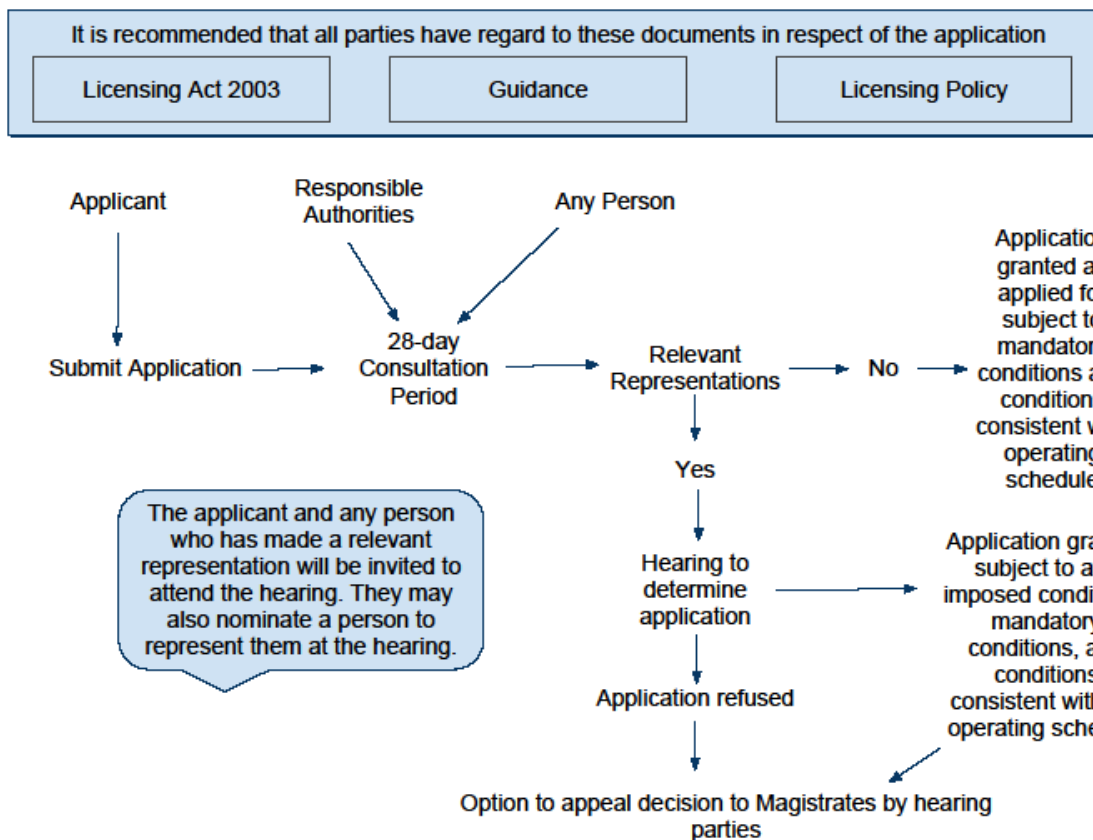
- 3.5 Responsible authorities are public bodies that must be fully notified of applications and that are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a premises licence. The Responsible authorities are set out in Appendix 1.
- 3.6 The licensing authority recognises Manchester Safeguarding Children Board as the body competent to advise it on the protection of children from harm.

Licensable activities and the licensing objectives

- 3.7 The Licensing Act 2003 regulates the following activities:
- The sale by retail of alcohol
 - The supply of alcohol by or on behalf of a club, or to the order of a member of the club
 - The provision of regulated entertainment
 - The provision of late-night refreshment
- 3.8 In order for premises to provide any of the above activities, the operator must obtain authorisation from Manchester City Council in its role as licensing authority.

- 3.9 The authorisation may be in the form of a Premises Licence, a Club Premises Certificate or a Temporary Event Notice.
- 3.10 Where an application for a new Premises Licence or Club Premises Certificate is made to the licensing authority or for variation of an existing licence or certificate, consultation is required with Responsible Authorities as defined under the Licensing Act 2003. Details of the Responsible Authorities can be found in Appendix 1.
- 3.11 An application will consist of (among other things) an operating schedule, which details the licensable activities applied for as well as specifying during which times and on which days they would be conducted. In the operating schedule, the licensee also sets out any steps they propose to take in order to address the four licensing objectives, and these can be converted into conditions on any licence granted.
- 3.12 There is a public consultation period lasting for 28 days beginning from the first day after the application was received by the licensing authority. During this period, the application must be advertised and any person or Responsible Authority may make written representations in respect of the application.
- 3.13 All licence applications will be considered on their own merits in the context of the four licensing objectives. However, if an application for a Premises Licence or Club Premises Certificate has been lawfully made, and there have been no relevant representations from any person or Responsible Authority, then the licensing authority must grant the application, subject only to conditions that are consistent with the operating schedule and relevant Mandatory Conditions.
- 3.14 Where 'relevant' representations (see 3.23) are received in respect of an application, it will be determined at a hearing by a subcommittee of three members from the Council's Licensing Committee unless agreement can be reached between all of the parties in advance of the hearing and their representations have been withdrawn.
- 3.15 Parties through discussions may reach a compromise to resolve the concerns that originally led to the objection being made. For examples, reducing the hours for proposed activities, adding extra conditions, or removing proposed activities entirely may address any concerns an objector had. In such circumstances, the applicant may agree to amend the application to incorporate the revisions and the objector withdraw their objection as a result.
- 3.16 However, where representations remain, the applicant and any party who has submitted a relevant representation (or their representatives) will be invited to attend committee in order to make submissions to the subcommittee.
- 3.17 All applications will be considered on their own merit.
- 3.18 Following such a hearing, the Licensing Subcommittee can:
- (a) Grant the application as applied for; or
 - (b) Grant the application with restricted licensable activities/hours than those applied for and/or impose additional conditions, where considered appropriate for the promotion of the licensing objectives; or
 - (c) Refuse the application

- 3.19 There is a right of appeal to the Magistrates' Court against the decision of the Licensing Subcommittee by any party to the original hearing.



De-regulated entertainment

- 3.20 The Legislative Reform (Entertainment Licensing) Order 2014 came into force on 6 April 2015 with the effect that the following forms of entertainment are no longer licensable –
- 3.21 Performances of plays between 08.00 and 23.00, provided that the audience does not exceed 500.
- 3.22 Performances of dance between 08.00 and 23.00, provided that the audience does not exceed 500
- 3.23 'Not-for-profit' film exhibition held in community premises between 08.00 and 23.00 provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- 3.24 Indoor sporting events between 08.00 and 23.00, provided that those present do not exceed 1000.
- 3.25 Any contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00, provided that the audience does not exceed 1000.

- 3.26 Performances of unamplified live music between 08.00 and 23.00, on any premises.
- 3.27 Performances of amplified live music between 0800 and 2300:
- On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
 - In a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500
 - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises
 - At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital
- 3.28 Playing of Recorded Music between 0800 and 2300:
- On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
 - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises
 - At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital
- 3.29 Any entertainment taking place on the premises of the local authority between 08.00 and 23.00, with no limit on audience size, where the entertainment is provided by or on behalf of the local authority.
- 3.30 Any entertainment taking place on the hospital premises of the health care provider between 08.00 and 23.00, with no limit on audience size, where the entertainment is provided by or on behalf of the health care provider.
- 3.31 Any entertainment taking place on the premises of the school between 08.00 and 23.00, with no limit on audience size, where the entertainment is provided by or on behalf of the school proprietor; and
- 3.32 Any entertainment (excluding films and boxing or wrestling entertainment) taking place at a travelling circus between 08.00 and 23.00, with no limit on audience size,

provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Relevant representations

- 3.33 In order for the views of any party to be taken into account in respect of an application, they must qualify as 'relevant', which means representations:
- a) That are made by any person or Responsible Authority
 - b) That are made in writing to the licensing authority
 - c) That are received by the licensing authority no later than 28 days after the date the application was made (ten working days for a minor variation)
 - d) Must relate to the likely effect of the granting of the application upon one or more of the licensing objectives
 - e) Must not (in the case of any person who is not a Responsible Authority) be considered by the licensing authority as frivolous or vexatious
- 3.34 The grounds for any representation will be stronger if they have an evidential basis and link to the applicant's premises. Any conditions or restrictions should only be proposed that address identified risks to the licensing objectives.
- 3.35 All persons, including Responsible Authorities, are encouraged to take into consideration all relevant sections of the Policy, in particular the Local Factors set out at Section 7 and the Standards set out at Section 8, when they are assessing applications and deciding whether to make a representation on an application.
- 3.36 Representations will be considered on their merits by the licensing authority to ensure they are relevant with regard to the above.
- 3.37 Further information on making a representation can be found in Appendix 2.

Reviews

- 3.38 At any time following the grant of an authorisation, any person or Responsible Authority may submit an application for Review of the licence or certificate.
- 3.39 Applications for Review must relate to one or more of the licensing objectives and must not (where the Review is submitted by any person who is not a Responsible Authority), be considered as frivolous, vexatious or repetitious by the licensing authority.
- 3.40 A Review application is also subject to a similar consultation period to that for a new licence or variation, during which relevant representations may be submitted. Reviews will be determined at a hearing by a Licensing Subcommittee.

- 3.41 At a Review, the licensing authority must take the following steps (if any) where such steps are considered appropriate, for the promotion of the licensing objectives:
- a) Modify the conditions of the licence
 - b) Exclude a licensable activity from the scope of the licence
 - c) Remove the Designated Premises Supervisor
 - d) Suspend the licence for a period not exceeding three months
 - e) Revoke the licence
- 3.42 In cases when there is evidence that the crime prevention objective is being undermined revocation of the licence will be seriously considered by the authority, even in the first instance.
- 3.43 There is a right of appeal to the Magistrates' Court against the decision of the Licensing Subcommittee, and in the event that an appeal is lodged by the licence holder, the original decision of the licensing authority will not take effect until the appeal is determined or withdrawn. There is an exception to this in the case of a Summary Review brought only by the police.
- 3.44 Responsible Authorities will aim to give licensees early warning of any problems in an attempt to work in partnership with the trade to resolve issues (e.g. joint-agency Action Planning and voluntary initiatives). It is expected that the trade reciprocate this spirit of co-operation to achieve the promotion of the licensing objectives.

Ability to reinstate conditions relating to live music upon review

- 3.45 The licensing authority may reinstate or impose conditions about live music following a review of a Premises Licence or Club Premises Certificate relating to premises authorised to supply alcohol for consumption on the premises, where it can be demonstrated that live music has undermined the promotion of the licensing objectives and such action is considered to be appropriate.

Considerations of impact within the vicinity of licensed premises

- 3.46 While the licensing authority will seek to ensure the promotion of the four licensing objectives by licensed premises in Manchester, it is acknowledged that conditions can only be imposed that seek to manage the behaviour of customers that fall within the control of the licensee
- 3.47 Licensing law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control, and licensing law will always be part of a holistic approach to the management of the evening and night-time economy.

Integration with planning

- 3.48 The licensing process is separate from planning and building control regimes and shall be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters and as such licensing applications shall not be a rerun of the planning application. Where the hours granted by planning are different to the licensing hours, the licensee must observe the earlier closing time. Likewise, the granting of a Premises Licence or Club Premises Certificate (or a variation) does not negate the requirement for the licensee to ensure that relevant planning permission (or building control approval) is in place prior to the premises operating.
- 3.49 Premises operating in breach of their planning permission may be liable to prosecution or other enforcement under planning law. Any applicant who chooses to apply for the relevant licence prior to obtaining planning permission is advised to be aware of the relevant planning policy for the locality.

The need for licensed premises

- 3.50 The licensing authority shall not take into account 'need' or commercial demand when exercising any licensing function, which is a matter for the market.

The cumulative impact of concentrations of licensed premises

- 3.51 The cumulative impact on the promotion of the licensing objectives of a concentration of licensed premises by number, type or density in a particular area is a matter that the licensing authority will consider and, where there is good evidence that crime and disorder or public nuisance are happening and are caused by customers of licensed premises located in such an area, consideration will be given to adopting a Special Policy to help address such issues.
- 3.52 Such a Special Policy will be implemented if the Authority is satisfied that there is evidence to support such a decision, and that it is proportionate and the most effective measure to address the problems identified.
- 3.53 Types of evidence the licensing authority will take into consideration when considering whether to implement such a Special Policy include:
- Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots
 - Statistics on local anti-social behaviour offences
 - Health-related statistics such as alcohol-related emergency attendances and admissions
 - Environmental health complaints, particularly in relation to litter and noise

- Complaints recorded by the local authority, which may include complaints by local residents or residents' associations
- Residents' questionnaires
- Evidence from local councillors
- Evidence obtained through local consultation

3.54 The licensing authority will take into account

- The number, type and density of licensed premises and the hours and activities they are licensed for
- Trends in licence applications, particularly trends in applications by types of premises and terminal hours
- Changes in terminal hours of premises
- Premises' capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times
- Residential density
- The number of consumers attracted to the area and the availability of public transport

3.55 The licensing authority also recognises that there are a number of existing measures available relevant to tackling unlawful and antisocial behaviour associated with licensed premises, including:

- Planning controls
- Positive measures to create a safe and clean city centre, district or neighbourhood centre environment in partnership with local businesses, transport operators and other departments of the local authority
- The provision of CCTV surveillance, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols
- Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly
- The confiscation of alcohol from adults and children in designated areas
- Police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices
- Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale)

- Police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance
- The power of the police, other Responsible Authorities or any person to seek a review of the licence or certificate in question
- Raising a contribution to policing the late night economy through the Late Night Levy
- Early Morning Restriction Orders
- Other local initiatives that similarly address these problems

Late Night Levy

- 3.56 The late night levy (“the levy”) is a power conferred on licensing authorities by the Police Reform and Social Responsibility Act 2011, which enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority’s area, as a means of raising a contribution towards the costs of policing the late-night economy.
- 3.57 The levy will be payable by the holders of any premises licence or club premises certificate, in relation to premises in the authority’s area, which authorise the sale or supply of alcohol on any days during a period (the “late night supply period”) beginning at or after midnight and ending at or before 6am.
- 3.58 The decision to introduce, vary or end the requirement for the levy must be made by the full council. The authority will consider the appropriateness of the levy as well as its design, prior to any decision to consult on its implementation.
- 3.59 When considering whether to introduce a levy, any financial risk (for example lower than expected revenue) rests at a local level and so will be fully considered prior to implementation.
- 3.60 There currently is no late night levy in Manchester.

Early Morning Restriction Orders (EMRO’s)

- 3.61 Also introduced by the Police Reform and Social Responsibility Act 2011, Early Morning Restriction Orders (EMRO’s) are a power enabling a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.
- 3.62 EMRO’s are designed to address recurring problems such as high levels of alcohol-related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.

3.63 An EMRO:

- Applies to the supply of alcohol authorised by premises licences, club premises certificates and temporary event notices
- Applies for any period beginning at or after 12am and ending at or before 6am. It does not have to apply on every day of the week, and can apply for different time periods on different days of the week
- Applies for a limited or unlimited period (for example, an EMRO could be introduced for a few weeks to apply to a specific event)
- Applies to the whole or any part of the licensing authority's area
- Will not apply to any premises on New Year's Eve (defined as 12am to 6am on 1 January each year)
- Will not apply to the supply of alcohol by those who provide hotel or similar accommodation to their residents between 12 am and 6am, provided the alcohol is sold at those times only through mini-bars and/or room service
- Will not apply to a relaxation of licensing hours by virtue of an order made under section 172 of the Licensing Act 2003

3.64 Introducing an EMRO is a licensing function. Therefore, this is not the responsibility of a council's executive. The final decision to make an EMRO (or to vary or revoke one) must be made by the full council of the licensing authority. Any preceding steps, including advertising the proposed EMRO, holding hearings and making a determination to put before the full council for its final decision, are for the licensing committee of the licensing authority. The licensing committee may delegate these steps to the licensing sub-committee or officers as it sees fit.

3.65 The licensing authority will consider whether other measures may address the problems that they have identified as the basis for introducing an EMRO before deciding whether an EMRO is an appropriate step to promote the licensing objectives, on the basis that it is reasonable, justified and proportionate in the circumstances.

3.66 There currently are no Early Morning Restriction Orders in Manchester.

4 Operation of the Policy

- 4.1 Every application will be treated in accordance with the Act, the S182 guidance and this Licensing Policy. The licensee is expected to consider all relevant sections of the Policy and the potential impact upon the licensing objectives relevant to them. The Licensing Policy is applicable to all premises providing any licensable activity, and it is important that all premises have regard to it.
- 4.2 Where an application is located within a Special Policy area (Section 5), all parties are expected to have due regard to it. The licensing authority's discretion to determine the application shall be engaged upon the receipt of relevant representations and the respective Special Policy shall be the starting point when doing so. No Special Policy is absolute and the licensing authority will always consider the circumstances of the case and whether there are exceptional circumstances to justify departing from the Special Policy in light of the individual circumstances of the case. Where no representations are received for an application within a Special Policy area, the application will be granted as applied for. Applicants are expected to demonstrate an understanding of the policy of how the policy impacts on their application, any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.
- 4.3 All licensed premises are expected to be an asset to their locality. The authority expects applicants to be able to demonstrate that they understand:
- The layout of the local area and physical environment, including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate
 - Any risk posed to the local area by the applicants' proposed licensable activities; and
 - Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks
- 4.4 Public sources of information that may be of use include:
- The Crime Mapping website
 - Neighbourhood Statistics websites
 - Manchester statistics in the "Statistics and Census information" pages of the Council's website, found under the 'Council and Democracy' section. This includes access to the 'Intelligence Hub' and a wealth of public intelligence such as Ward Profiles and socio-economic data.
 - Local and ward plans and other Regeneration plans for the area available on the Regeneration pages on the Council website

- The 'Your Neighbourhood' tool on the Council's website setting out local services in an area
 - Local councillors
 - Responsible authorities
- 4.5 Irrespective of any Special Policy and other matters identified relevant to the above, all applications for new licences and full variations shall be considered with regard to all relevant 'Local Factors' set out at Section 7. Applicants are expected to take these into account when preparing their operating schedule, particularly when considering appropriate activities, hours and operating standards for the premises.
- 4.6 The licensing authority expects a higher level of control measures to be implemented when specific risks are identified relevant to any Local Factors, particularly in relation to managing security as well as preventing drunkenness and nuisance when later hours are applied for.
- 4.7 The licensing authority has set out the operating Standards it expects applicants to consider when setting out the operating measures in their operating schedules that they propose to implement in order to promote the four objectives. It is recognised that not all Standards will be appropriate to apply in every situation to every premises and so have set out the circumstances in which the authority considers the standards will be appropriate.
- 4.8 Licensees are not obliged to address the Standards in their operating schedule; if this is not done, and there is no relevant representation, then the licence must be granted as applied for. However, the authority expects applicants to be able to clearly explain why the steps they are proposing are appropriate for the premises, save where consistent with the policy. There is likely to be a greater chance of a representation being made (and therefore a hearing) where relevant Standards are not addressed in the operating schedule
- 4.9 Where applicants elect not to include measures addressing the Standards identified, they are strongly advised to include information explaining the omission. This might be because a risk assessment has shown the step to be unnecessary or because the item is already the subject of another consent e.g. planning permission or a statutory obligation.
- 4.10 If a relevant representation is made, the licensing authority will have the discretion to take such steps as are appropriate to promote the licensing objectives.
- 4.11 In exercising its discretion, the licensing authority will attach conditions consistent with the Standards, when considered by the licensing authority to be appropriate and proportionate in order to promote the licensing objectives save where the applicant can demonstrate exceptional circumstances why such a condition should not be applied. Any such conditions will be tailored to the individual style and characteristics of the premises and events concerned.
- 4.12 The Licensing Authority has produced Model Conditions to provide a consistent approach for all parties by specifying appropriate conditions in line with the

Standards that could be included on any licence or certificate granted. This could be by the applicant in designing the operating schedule, by other parties in seeking to address concerns associated with the application, or ultimately, by the licensing authority when imposing conditions considered appropriate for the promotion of the licensing objectives.

- 4.13 The Model Conditions are not intended to be, nor can they be, an exhaustive list, and they do not restrict the ability of any party to suggest, or the Committee to impose, any condition they consider appropriate for the promotion of the licensing objectives, provided they are in accordance with the following principles.
- 4.14 The principles that will be applied in respect of any conditions imposed on licences and certificates by the Licensing Authority are:

Licence conditions will	Licence conditions will not
Be appropriate for the promotion of the licensing objectives	Be standardised
Be precise and enforceable	Replicate offences set out in the Licensing Act 2003 or other legislation
Be unambiguous and clear in what they intend to achieve	Duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation
Be tailored to the individual type, location and characteristics of the premises and events concerned	Seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave.
Be proportionate, justifiable and capable of being met	Require the admission of children to any premises
Be written in a prescriptive format	

- 4.15 Where, following relevant representations and a hearing, the licensing authority is not satisfied that the imposition of conditions is appropriate for the promotion of the licensing objectives; the authority will restrict licensable activities and / or hours. The authority may also refuse to specify the person nominated as designated premises supervisor.
- 4.16 However, where all of the above steps are not considered appropriate to promote the licensing objectives by the authority, the policy is to refuse the application.

Departures from the Policy

- 4.17 This Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The licensing authority may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons will be given for any such departure from the general policy in this statement. However, it is expected that any such departure would likely only be in exceptional circumstances.

5 Special policy areas

Cumulative impact and saturation policy in respect of Fallowfield / Wilmslow Road

- 5.1 The special cumulative impact and saturation policy shall apply to the geographical area identified on the map in Appendix 7 of this Licensing Policy.
- 5.2 The Council has received satisfactory evidence (considered by the Licensing Policy Committee at its meeting on 21 January 2013 and Council on 30 January 2013) that the cumulative impact of licensed premises in the geographical area identified on the map in Appendix 7 is undermining the promotion of the licensing objectives in relation to crime and disorder and public nuisance. The Council has taken into consideration the contents of the 'Review of the Impact of Licensed Premises in Fallowfield – Consultation Analysis' Licensing Policy Committee Report dated 21 January 2013, and determined the Special Policy should be implemented as proposed in that report. The reasons for this policy approach, originally set out in section 8 of that report, are set out below:

'The predominant concentration of licensed premises is within the Fallowfield area. This area suffers from the greatest levels of crime (both general and alcohol-related) compared to surrounding areas, which is demonstrated in the Cumulative Impact Analysis (Appendix 5 of The Review of the Impact of Licensed Premises in Fallowfield and Withington considered by the Licensing Policy Committee on 19 March 2012). The levels of crime recorded with an alcohol marker have risen annually between 2009 and 2011, of which there is the strongest concentration in the late evening and early hours of the morning. The degree of ASB recorded in the area is also significantly disproportionate compared to the rest of the former B & C policing divisions, since conjoined to form the E Division. Between 2009 and 2011, the average rate of ASB per square kilometre in the E Division was 343 incidents per square kilometre compared to an average of 2,180 incidents per square kilometre in Fallowfield. Similarly, ASB levels peak during the late night/early morning, and correlate with the closing times of alcohol-led licensed premises.

The complaints from local residents of antisocial behaviour, received both prior to and in response to the policy consultation, repeatedly cite problems of noise, vandalism and antisocial behaviour from persons going out to and returning from licensed premises, including complaints of preloading and drunkenness. Additionally, there was evidence of litter caused as a result, including discarded alcohol containers and takeaway wrappers in the street. Extra street cleaning services are required in the local area as a result of the disproportionate levels of litter, particularly caused by the high number of late-night takeaways in Fallowfield. Problems of preloading en route to licensed premises persist despite the existence of a Designated Public Place Order for Fallowfield. Therefore, the policy in Fallowfield aims to prevent further alcohol-related crime and antisocial behaviour arising in the area from the customers of licensed premises (including any premises that might act as a flashpoint), particularly during such hours with

higher levels of crime, antisocial behaviour and hours likely to affect the ability of local residents to get a good night's sleep. Additionally, the policy aims to prevent premises that are likely to contribute to litter problems in the area, particularly in relation to preloading en route to licensed premises, and hot food takeaway wrappers at the end of the night.

Within the Wilmslow Road area, there are far fewer licensed premises. However, alcohol-related crime continued to rise between 2009 and 2011. Given the area's direct proximity to Fallowfield as well as having regard to the similar nature of existing premises in Wilmslow Road to those in Fallowfield, it is correct that this area is also covered under the policy. This approach is also strongly supported in the responses received regarding the public consultation, which cite similar problems to those experienced in Fallowfield. The aims of the policy are to reduce levels of crime and antisocial behaviour within the areas, especially those that are alcohol-related and during the early hours of the morning. The reasons for this approach are set out above and supported by the evidence presented in Appendices 2–10 in the Review of the Impact of Licensed Premises in Fallowfield and Withington considered by the Licensing Policy Committee on 19 March 2012 and responses to the public consultation. These aims will support the Aspirations for our Neighbourhoods as set out in section 8 of the Council's Statement of Licensing Policy 2011–14.'

- 5.3 The Council has therefore adopted a Special Policy in respect of the specified area.
- 5.4 This Policy has been reviewed and updated analysis of the policy area shows that there is still a far higher concentration of levels of issues in the area, compared to both the adjacent Withington special policy area, as well as the wider South Manchester "E" policing division.
- 5.5 Over the past three financial years, an average of 38% of victim-based crime in the Fallowfield/Wilmslow Road Policy area happened between midnight and 5am, compared with 16% in the Stress area and 20% in the E Division as a whole. Over the same three years, an average of 40% of ASB in the Policy area happened between midnight and 5am, compared with 18% in the Stress area and 20% in the E Division as a whole.
- 5.6 Therefore, the authority considers it appropriate to retain the policy for 'Fallowfield and Wilmslow Road' as it stands.
- 5.7 The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 5.8 In relation to variations, this includes any variation that seeks to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations.
- 5.9 The Special Policy applies to all licensable activities.

- 5.10 Applicants in respect of premises located in the geographical area defined above will need to address the implications of the Special Policy in their operating schedule in order to rebut this presumption.
- 5.11 The Special Policy does not relieve Responsible Authorities or other persons of the need to make relevant representations in relation to individual applications. Before the Council can lawfully consider giving effect to its Special Policy a relevant representation must have been made; if no representation is received, it remains the case that any application must be granted in terms that are consistent with the operating schedule and any relevant mandatory licensing conditions.
- 5.12 All Responsible Authorities and other persons may refer, where appropriate in their representation, to the evidence considered by the Council in the adoption of this Special Policy.
- 5.13 The Council will not use this Special Policy as grounds for revoking an existing licence or certificate when relevant representations are received about problems with those premises.
- 5.14 The Special Policy does not include provisions for terminal hours in respect of premises in the areas identified in Appendix 7, nor does it impose quotas on the number of licensed premises permitted or the capacity of those premises.
- 5.15 The Council will regularly review the Special Policy in place.

Special policy in respect of Withington Stress Area

- 5.16 There is evidence that the promotion of the licensing objectives within an identified area of Withington is being undermined as a consequence of the operation of licensed premises in the area, having regard to the complaints of local residents and the levels of crime and disorder and public nuisance experienced within it.
- 5.17 The licensing authority considers that although the levels of problems do not currently justify the implementation of a cumulative impact and saturation policy for the area, the area is of concern and shall be kept under review.
- 5.18 Therefore, the Council has adopted a Special Policy for the area, which shall be known as the Withington Stress Area, and is identified on the map in Appendix 8 of this Licensing Policy.
- 5.19 This policy has been reviewed and updated analysis of the policy area shows that there is still a higher proportion of incidents in this area and the levels of issues remains broadly consistent since the policy came into effect, with increases in victim-based crime and violent crime. Although levels of ASB, including that recorded as alcohol-related, decreased in 2013/14, it subsequently increased in 2014/15. Therefore, the authority considers it appropriate to retain the policy for the 'Wilmslow Stress Area' as it stands.
- 5.20 Withington is a residential area which, if not carefully planned, may attract late-night alcohol-led venues that cannot set up in Fallowfield due to a CIP there. It is noted

that while Withington suffers less ASB than Fallowfield, there is evidence of problems associated with operation of licensed premises in Withington, and the licensing authority does not wish to see an increase in ASB. However, the authority does wish to diversify the leisure economy in Withington. With this in mind, the following approach for new licences and material variations, where relevant representations have been made, shall be taken:

	Closing time	Approach
Non-alcohol-led venues (excluding hot food takeaways)	Up to midnight	Strongly encouraged provided they do not harm the licensing objectives.
Non-alcohol-led venues (excluding hot food takeaways)	Beyond midnight	Discouraged, unless strict compliance with set criteria can be shown. Positive proposals for the promotion of the licensing objectives from departing customers must also be demonstrated in the operating schedule.
Alcohol-led venues (on-licence)	Up to 11.30pm	Judged according to set criteria. Positive proposals for the promotion of the licensing objectives, including from departing customers, must also be demonstrated in the operating schedule. A stricter approach is likely to be taken where customers are not seated at tables and/or where a substantial food offer is not available at all times the premises are open.

	Closing time	Approach
Alcohol-led venues (on-licence)	Beyond 11.30pm	Strong presumption against. A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.
Hot food Takeaway premises	All	Strong presumption against. A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.
Alcohol-led venues (off-licence)	All	Strong presumption against. A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives.

- 5.21 (Standard to promote the licensing objectives) sets out many measures the licensing authority considers to be appropriate in order to ensure the promotion of the licensing objectives.
- 5.22 Having regard to the issues within the Withington Stress Area, the licensing authority has also set out particular measures it expects operators to pay special attention to in order to ensure their operation will not add to the problems within this area. Operators are not required to do so, but where the authority's discretion is engaged, any applications that fail to address all appropriate measures may be refused or have conditions applied to comply with the policy measures.
- 5.23 These measures shall be considered in conjunction with the policy approach set out above and may be more or less appropriate depending on the style of operation applied for. Applicants are not limited to only these proposed measures and should propose all measures they consider appropriate in the promotion of the licensing objectives.

5.24 The licensing authority has also set out measures that it will have particular consideration towards if proposed within the operating schedule by the applicant.

5.25 The measures are set out as follows:

Measure to be addressed	Criteria
The effective management of queues outside the premises	A documented policy addressing how queues outside the premises will be managed to prevent any nuisance or disorderly behaviour.
The control of entry to and exit from the premises, including assessing the need for door supervisors	<p>A documented risk assessment assessing the need for door supervisors at the premises. Where employed, door supervisors shall be easily identifiable (through high-visibility uniform) and employed in appropriate numbers and during appropriate times.</p> <p>Written records to be kept of any door supervisors on duty.</p> <p>Positive consideration will be given to the use of Approved Contractor Scheme (ACS) security companies.</p>
Designing out crime in the layout of the premises	Positive consideration will be given to the commissioning of a Licensing Impact Statement (by Design for Security) and operation of the premises in line with the recommendations of that report.
Implementation of documented reporting procedures at the premises	<p>Documented records to be kept in respect of:</p> <ul style="list-style-type: none"> • Lost and found property • Refused sales of alcohol • Thefts • Banned and ejected persons • Injuries • Complaints and any remedial action taken
Provision of comprehensive documented staff training	<p>Documented staff training conducted in respect of:</p> <ul style="list-style-type: none"> • Preventing underage sales • Preventing drunkenness • Managing and resolving conflict • Emergency procedures • Compliance with the licence conditions • Relevant obligations and offences under the Licensing Act, particularly those associated

Measure to be addressed	Criteria
	<p>with the sale of alcohol</p> <ul style="list-style-type: none"> • Identification and refusal of underage sales <p>Positive consideration will be given to:</p> <p>Use of accredited training course and recognised industry qualifications (e.g. BII)</p>
<p>Implementation of effective measures to prevent and deal with drunkenness at the premises</p>	<p>A documented policy in relation to preventing and managing drunkenness on the premises.</p> <p>Access to the premises should not be permitted to any person who is visibly intoxicated.</p> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> • The sale of alcohol being subject to the use of waiter/waitress service for consumption by persons seated at tables • Substantial food being available at all times • Use of the Responsible Alcohol Service Guide • Displaying responsible drinking information and posters throughout the premises • Ensuring alcohol-free options are readily available • Making appropriate arrangements to ensure the safe transport home of vulnerable customers • Training of staff in the Responsible Alcohol Service Award
<p>Ensuring only responsible drinks promotions are operated at the premises</p>	<p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> • Voluntary restriction of high strength alcohol (i.e. high ABV beers and cider) • No promotional activity resulting in a minimum unit price of less than 50p
<p>Effective monitoring of the premises (both interior and exterior) including the use of CCTV</p>	<p>A digital CCTV system installed in conjunction with any specification or recommendations of Greater Manchester Police.</p>

Measure to be addressed	Criteria
Ensuring all alcohol sales are properly authorised	Positive consideration will be given to there being at least one personal licence holder on duty on the premises at all times it is open to the public.
Operation of a documented glass policy for the premises	A documented risk assessment in respect of the use of glassware on the premises. Where appropriate, plastic or polycarbonate drinking vessels shall be used, especially in outdoor areas or after specified hours.
Maintaining a safe capacity and recording customer numbers	The maximum occupancy of the premises should be prominently displayed at the entrance to the premises and appropriate measures put in place to ensure the capacity is not breached.
Operation of a documented glass collection and spillage policy	A documented policy to ensure that drinking vessels are not left unattended and the efficient collection of glasses and cleaning up at the premises, especially in outdoor areas.
Prevention of noise breakout from the premises	Systems to ensure that any noise from the premises, especially regulated entertainment, does not cause disturbance to neighbouring properties, particularly local residents.
Communication and integration with local residents and businesses	<p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> • Participation in any community local initiatives • Communication with local residents and groups • Provision of a mobile contact number for the DPS or nominated person for the immediate resolution of problems • Hosting of meetings with local residents to troubleshoot issues associated with the premises
Effective management of exterior spaces (e.g. beer gardens, smoking areas)	<p>Policies in place in relation to:</p> <ul style="list-style-type: none"> • Supervision arrangements • How such areas will be kept clean and free of litter, particularly at the end of trading • Avoiding customers causing noise disturbance

Measure to be addressed	Criteria
<p>Cleansing arrangements and ensuring the premises and surrounding area are kept clean and free of litter</p>	<p>Systems in place to ensure the premises and surrounding area are kept clean and free of litter at all times the premises is open to the public, and at the close of trade.</p> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> • Contribution (including financial) to any community local initiatives or infrastructure • Cleaning initiatives beyond the immediate vicinity of the premises
<p>Responsible management of the use of flyers and other promotional material</p>	<p>The distribution of flyers shall only be conducted in accordance with the terms of the requisite permit to distribute free printed material issued by the Council.</p> <p>Flyers should not be posted at unsolicited residential addresses.</p>
<p>Prevention of customers causing disturbance when leaving the premises</p>	<p>Policies for the dispersal of customers to ensure orderly conduct and minimise disturbance.</p> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> • Supervision of customers leaving, including preventing customers congregating outside • Use of a winding-down period • Providing a dedicated taxi/private hire calling service, which operates a call-back facility
<p>Membership of any local pub and club network/off licence forum or other recognised partnership group</p>	<p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> • Participation in the local Pubwatch scheme • Support of any local resident/community schemes, including the voluntary hosting of meetings
<p>Taking action to prevent proxy sales of alcohol from the premises</p>	<p>Operators should ensure staff are aware of the risks of proxy sales and take appropriate measures to deter offences.</p>

Measure to be addressed	Criteria
Prevention of underage sales of age-restricted products and underage persons access	<p>The operation of Challenge 21 (on-licence) or Challenge 25 (off-licence) with acceptable forms of ID.</p> <p>Positive consideration will be given to:</p> <ul style="list-style-type: none"> • The use of till prompts • Operation of mystery shopper exercises at own expense

- 5.26 The Special Policy shall apply to all new and material variation applications within the Withington Stress Area. In relation to variations, this includes any variation that seeks to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations.
- 5.27 Each application will be considered on its individual merits.
- 5.28 Departure from policy is expected only in exceptional circumstances.
- 5.29 Exceptional circumstances will not include the quality of management or size of venue.
- 5.30 Applicants will be expected to have particular regard to all sections of this Statement of Licensing Policy.
- 5.31 The Special Policy Area will be kept under review and where problems of crime and disorder or public nuisance are not improving, or are worsening, the policy will be reviewed.

6 What we aim to encourage

- 6.1 Our aim is to promote an 'inclusive' evening and night-time economy throughout the city to ensure people of all ages can participate in and enjoy a range of activities through a diverse array of licensed premises, not simply focused on the consumption of alcohol.
- 6.2 Premises that are encouraged are:
- Those that will extend the diversity of entertainment and attract a wider range of participants
 - Live music, especially original material, is encouraged particularly to provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
 - National cultural institutions (such as the National Football Museum, National Cycling Centre and Royal Opera House Manchester), global sports events and cultural festivals (such as Manchester International Festival)
 - Non drink-led premises including restaurants, cafes, theatres and cinemas

Communication and integration with local residents and businesses

- 6.3 The licensing authority considers it extremely important that licensed premises operate as good neighbours within their community.
- 6.4 Licensees are encouraged to consult with local residents and businesses prior to submitting an application for a new licence or variation of an existing licence to ensure that any issues that may arise in respect of the proposed operation of the premises can be addressed at the earliest possible stage and ensure the promotion of the licensing objectives.
- 6.5 Licensees are expected to communicate to address and resolve relevant problems. This could include giving contact telephone numbers to local residents so they can report any issues to the premises for them to be dealt with. It is expected that contacts at the premises would be persons in a position of responsibility who are contactable whenever the premises is open to the public so that any issues can be addressed without delay. Licensees could also arrange regular meetings with neighbours to ensure good relations.

Partnership Working

- 6.6 The Licensing Authority is keen to promote partnership working between agencies and the licensed trade. A range of initiatives is delivered aimed at ensuring the promotion of the licensing objectives throughout Manchester including:

- Multi-agency enforcement including proactive monitoring and inspections of licensed premises as well as test purchase ('mystery shopper') operations
- Joint-agency action planning with problem premises. Joint consideration of licence applications to ensure a consistent and holistic approach that is agreed between all agencies
- Regular e-newsletters to the trade with updates on topical licensing issues
- The establishment of Public Space Protection Orders (previously Designated Public Protection Orders), such orders can restrict alcohol been consumed publicly.
- Introduction of voluntary trade schemes such as 'Reduce the Strength'
- Conducting training in responsible alcohol service, safeguarding and awareness of child sexual exploitation
- Attendance and participation in local and community meetings and workshops

6.7 Whilst the authority is keen to promote partnership working by the trade, it is recognised that partnerships will operate most effectively where there is active participation and engagement by the trade, and the authority will generally leave operators to participate voluntarily in such schemes rather than have this enforced upon them.

Pubwatches, off-licence forums and other crime reduction partnerships

6.8 Such schemes are often described as the licensed trade's equivalent of Neighbourhood Watch where members regularly exchange information about incidents, known troublemakers, and crime prevention advice through official data protection agreements. The operation of collective banning policies and enforcing exclusion orders are also seen to be an essential part of crime prevention in an area or neighbourhood.

6.9 Effective Pubwatches, off-licence forums and business crime reduction partnerships require reliable communication systems as well as unity of action. Communication can take place via a secure intranet for members only, at face-to-face meetings, as well as radio links or 'ring-round' phone systems within an area or neighbourhood where a cluster of licensed premises are located

6.10 Active participation in such schemes are demonstrations of good practice by the licensed trade and the Licensing Authority encourages licensees to take part in existing schemes, or seek to establish new ones where none currently exist. In turn, we endeavour to provide as much support as possible.

CityCo Manchester Business Crime Reduction Partnership / City Centre Radio Scheme (NITENET)

- 6.11 Manchester Business Crime Reduction Partnership is a partnership between police, local authorities, CityCo and other agencies to work with businesses in managing out crime. The partnership enables the collation of information on incidents as well as active/suspected/known criminals under strict data protection protocols and access is incorporated as part of the subscription to the City Centre Radio scheme (NITENET)
- 6.12 NITENET provides a valuable service to operators of licensed premises by facilitating the sharing of 'live' information; enabling them to work pro-actively together as and when issues arise locally. The radio link is also connected to the Council's CCTV control area, enabling camera operators to assist when circumstances allow.
- 6.13 Images of known and excluded offenders are shared through a secure member's only intranet (DISC), so businesses can, when used in conjunction with the radio network, effectively prevent those individuals from gaining access to the premises, on a "barred from one barred from all" principle. In addition, the partnership works proactively to secure Criminal Behaviour Orders (CBO's) with statutory partners.
- 6.14 Premises are encouraged to engage with the partnership through the effective use of the NITENET radio scheme and DISC system. For further details of any of the schemes operating in Manchester or if you have an interest in developing a brand-new scheme, contact Manchester City Council's Licensing Unit.

Designing out crime in the layout of the premises

- 6.15 The licensing authority encourages consideration should be given to best-practice advice such as the 'Licensed Property: Security by Design' (BBPA) or at www.securedbydesign.com (ACPO). There is general acceptance that the design of buildings and their surroundings are major factors affecting crime and, in particular, alcohol related disorder. It is recognised that certain elements in the design of licensed premises can promote or dissuade criminal behaviour at or near premises and also assist the ability of a licensee to exercise control over their premises. 'Designing out crime' principles seek to reduce or eliminate risks through the design or redesign of a licensed premises and the immediate surrounding area
- 6.16 Good design can make a major contribution to both the prevention of crime and the reduction of fear of crime and must be the aim of all those involved in the development process.
- 6.17 'Secured by Design' (SBD) aims to achieve security for the building shell and to introduce appropriate internal and external design features that facilitate natural surveillance and create a sense of ownership and responsibility, in order to deter criminal and anti-social behaviour within the curtilage of the business.
- 6.18 Incorporating reasonable and realistic security measures during the design, build or refurbishment of a licensed venue, combined with good management practices, indisputably reduces levels of crime, fear of crime and disorder.

- 6.19 The aim of the service is to assist in the design process to achieve a safe and secure environment for customers and staff, without creating a 'fortress environment'. Experience shows that including security measures at the design stage to address anticipated and predictable problems resulting from usage are both cost effective and more aesthetically pleasing than retrofit solutions.

7 Local Factors

- 7.1 The authority recognises that licensed premises and activities can play an important role in ensuring the vitality and prosperity of the city in terms of economic growth, additional employment opportunities and improved physical environments. However, if not managed carefully, premises negative impacts can arise.
- 7.2 Where relevant representations are made and the licensing authority's discretion is engaged, this section sets out key matters the authority will have regard to relative to the nature of the premises and the character of the area where the premises is situated. The matters identified are not exhaustive and the licensing authority will have regard to any relevant matters raised in any representation that may fall outside them.
- 7.3 The authority will have regard to:

Identified risk factors relevant to the licensed premises

- 7.4 There are multiple and intersecting factors — some of which can be controlled by licensed premises and others that are clearly external — that influence the nature and extent of the risk of the impact of the operation of the premises on the licensing objectives. For example, nightlife patrons who pre-load should be a focus for service provision given that they are amongst the heaviest drinkers and most prolific illicit drug users. UK surveys have found young adults in their twenties and young women, in particular, drinking to harmful levels even before they go out for the evening
- 7.5 Many of the factors are known to be compounding — as one example, overcrowding can combine with patron intoxication, lighting, loud noise and poor ventilation to elevate the risk for a range of alcohol-related harms. Other factors have been shown to reduce alcohol-related harm, such as visibility of police and adequate lighting. These factors demonstrate the complex relationship between alcohol-related harm and licensed premises.
- 7.6 Relevant factors include:
- Physical design of the premises, including:
 - physical hazards arising from type and placement of furniture
 - lighting that facilitates deviance and increases anonymity
 - Insufficient and unclean toilets
 - Activities at the premises, including entertainment
 - Style of operation, particularly related to the likelihood of alcohol consumption
 - The potential for pre-loading by customers
 - Social mix of patrons

- Patron type (age, gender)
- Visible staffing of the local public realm, including policing, wardens, Street Angels etc.
- The surrounding locality including:
 - public CCTV coverage
 - any pedestrian and vehicular pathways likely to be used by customers when leaving the premises late at night

7.7 The licensing authority will have regard to such risk factors when assessing the relevance of, and the degree to which, operating measures will be appropriate to promote the four objectives.

Evidence of pre-existing problems in the area

7.8 The authority will give particular consideration to the general character of the surrounding area, including crime and antisocial behaviour (ASB) levels, litter problems, issues regarding underage or proxy sales and noise complaints. Where there are demonstrable problems linked to the operation of licensed premises in the area, a stricter approach will be taken by the authority.

7.9 The authority is mindful of problems that can arise around the clustering of licensed premises; where a number of premises closing simultaneously can lead to larger numbers leaving at the same time, thereby increasing the risk of disorder and disturbance, as well as creating spikes in demand for taxis and other sources of transport or at takeaways.

7.10 Areas with a high density of licensed premises that operate as well-known entertainment zones draw in large numbers of legitimate users, a minority of whom may become caught up in unplanned violent or disorderly incidents, or may generate public nuisance, particularly if under the influence of alcohol. They may also attract a number of 'illegitimate' users who purposely target the area in order to exploit various criminal opportunities (for example by using the anonymity of large crowds to conduct theft, or preying upon intoxicated and therefore vulnerable persons).

7.11 Frequent movement between venues might also increase the risk of issues as it increases the number of pedestrian journeys and associated opportunities for conflict within busy periods of the night. (Hadfield 2011)

7.12 The authority will also consider the impact of drinking in public places. Several areas of the city, including the city centre, are subject to Designated Public Place Orders (DPPO's), restricting alcohol in public spaces. DPPO's have been superseded by Public Space Protection Order with effect from 2014.

Proximity of takeaways and off licences to nightlife entertainment areas

- 7.13 Such premises typically lack the type of design and management provisions necessary to process the custom of a large intoxicated late-night customer base, and may act as flashpoints for alcohol-related crime and disorder. Additionally, there is a risk of staff being subjected to threatening behaviour, physical violence, and property damage. Operators are encouraged to consider conflict management training and/or employment of door supervisors, where appropriate. However, where the authority's discretion is engaged, consideration may be given to restricting hours of operation to avoid the risk of such premises acting as flashpoints for crime and disorder.

Consistency with relevant District Centre, Ward and Local Plans

- 7.14 The Council recognises that a vibrant evening economy is important; both to the well-being of its residents and as a source of economic activity. Accessible district centres and local centres are important in creating a sense of place and focus and therefore central to creating neighbourhoods of choice.
- 7.15 Manchester City Centre and its district centres are places to shop, work, eat, drink, enjoy leisure activities, access services and increasingly to live.
- 7.16 Centres, in particular the City Centre and District Centres, have an important role as the focus for the City's evening economy. They are a hub for activity and thrive when they attract visitors from the surrounding neighbourhoods.
- 7.17 An aim for the city is to achieve a better balance of evening and night-time activities and a better distribution throughout the city. In some areas concentrations of uses associated with the evening economy have led to problems with anti social behaviour, while other parts of the City suffer from lack of activity during the evening. It is important that the uses within centres are carefully balanced so that evening/night-time uses are complementary to neighbouring uses.
- 7.18 District Centre, Local and Ward Plans have been developed for various areas of the city to support the local delivery of the Strategic Regeneration Frameworks and, ultimately, the City's Core Strategy (see Section 2). They provide an excellent reference identifying and understanding the key issues in local areas.
- 7.19 If a relevant representation is made, the licensing authority will have the discretion to take such steps as are appropriate to promote the licensing objectives.
- 7.20 In exercising its discretion and in so far as doing so is consistent with the promotion of the licensing objectives, the licensing authority will aim to take such steps consistent with relevant priorities identified in the representation as set out by any:
- Strategic Regeneration Framework
 - District Centre Plan
 - Local Plan or Ward Plan

The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

- 7.21 The licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.
- 7.22 Where premises in the direct vicinity of impact on local residential properties, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:
- Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise
 - Prevention of noise disturbance from people entering and leaving the premises (e.g. queue management, dispersal policy)
 - Prevention of disturbance by people outside the premises (e.g. smoking areas)
 - Prevention of disturbance from people arriving at and leaving the premises
 - Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises)
 - Disturbance caused by deliveries, including waste collection
- 7.23 The leisure and night time economy can be an important contributor to an area's appeal to work, live or visit there. However, each of our neighbourhoods is different to each other and services need to be flexible to meet these different needs. For example, whilst doorstep access to a thriving late-night time economy appeals to many living and working in the city centre, it will not be acceptable to those in other areas of the city.
- 7.24 The licensing authority will have considered the appropriateness of hours applied for having regard to the location of premises and their likely effect on the promoting the four licensing objectives. While it is recognised that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided, the licensing authority will consider restricting hours to ensure the promotion of the licensing objectives, subject to relevant representations being made in relation to the hours applied for, should the licensing authority deem this appropriate and proportionate following a hearing.
- 7.25 The authority considers that later hours will typically be more sensitive and higher risk in causing problems. A substantial body of empirical research identifies operating hours as a key determinant of alcohol-related harm.
- 7.26 Applicants are strongly encouraged only to apply for hours that they realistically intend to operate, as later hours are typically more likely to attract objections.

- 7.27 It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.
- 7.28 Therefore, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.
- 7.29 Later hours will generally be more appropriate within the city centre than other areas due to the developed infrastructure in respect of managing a later night-time economy such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services and a more visible enforcement presence. In mixed use environments, such as the city centre, noisier impacts are not always derived from actions of small number of excessively anti-social individuals but can also come from large numbers of people going about the business of having a good time. Whilst such environments will not be expected to be completely noise-free and peaceful environments, the authority considers that noise effecting residential properties should remain within tolerable levels such that home life remains viable and restful sleep a possibility.
- 7.30 Where noise nuisances can be clearly identified as arising from the activities or customers of a specific licensed premises, or there is risk identified upon application of such nuisance occurring, the licensing authority may reduce the trading hours of licensed premises on the grounds of their noise impacts. Consideration to permitting later hours will be given where the applicant has proactively engaged with local residents in advance of making the application and residents have not expressed any objection.
- 7.31 The licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours and each application will be considered on its individual merits.

Proximity to sensitive uses

- 7.32 Premises applying for early morning daytime hours to sell alcohol will be given particular consideration in relation to their proximity to schools, play areas, nurseries, children's centres and other youth amenities to protect children from harm, as well as groups who could become more vulnerable or present a greater risk of crime, disorder and public safety issues as a result of excessive alcohol consumption. Persons who are alcohol-dependent who could become more vulnerable or present a greater risk of crime, disorder and public safety issues as a result of excessive alcohol consumption may be drawn to particular premises if they are licensed to sell alcohol at earlier times. The licensing authority will have give consideration to the general demand for alcohol treatment in an area as a proxy indicator of problems.

The availability of transport to and from the premises

- 7.33 Consideration should be given to the effective availability of transport in relation to the premises, including the proximity of public transport such as rail services, Metrolink, night buses as well as taxi ranks (including if they are marshalled or not and between what times), in order to ensure customers are able to get home safely and without causing disturbance.
- 7.34 It is important that there is an adequate and effective supply of late night transport to service demand. Therefore, varied trading times may even the spread for demand in an area. Where the authority's discretion is engaged, consideration may be given to restricting operating hours to enable effective dispersal from the premises where considered appropriate for the promotion of the licensing objectives.

Ability to clean and maintain the street scene

- 7.35 The night time economy presents particular service needs in relation to street cleaning to ensure the streets are cleansed following the departure of night-time crowds, but ahead of the arrival of other users the following morning. Use of mechanised equipment, or even broom sweeping, is often impractical when streets are busy with people, and litter continues to be discarded.
- 7.36 The licensing authority will give consideration to the ability to ensure the local street scene can be effectively cleansed and the potential impact of the premises upon litter problems in the area. Where the authority's discretion is engaged, consideration may be given to restricting hours of operation to ensure the streets can be cleansed before the arrival of other users the following morning. Consideration will be given to the number of rubbish bins in the area to adequately cope with litter levels, as well as the general cleanliness of the area.

Premises in proximity to the airport

- 7.37 Licensed premises located within the vicinity of the airport are expected to consider how the sale of alcohol could adversely impact onward air travel safety. Additionally, while the sale of alcohol is not a licensable activity beyond airport security and does not fall within the remit of the licensing authority, alcohol retailers situated airside are strongly encouraged to adopt relevant standards as set out in Section 8 to help prevent offences under the Manchester Airport Byelaws and Air Navigation Order. The sale of alcohol to under 18s is an offence that applies anywhere and by any person.

8 Manchester's Standards to promote the licensing objectives

- 8.1 We have identified the Standards we expect applicants to consider when setting out the operating measures in their operating schedules that they propose to implement in order to promote the four objectives. It is recognised that not all Standards will be appropriate to apply in every situation to every premises
- 8.2 Irrespective of any Special Policy and other matters identified relevant to the above, all applications for new licences and full variations shall be considered with regard to all relevant 'Local Factors' set out at Section 7. Applicants are expected to take these into account when preparing their operating schedule, particularly when considering appropriate Standards and associated operating measures for the premises.
- 8.3 The degree to which measures in line with the Standards would be appropriate is expected be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The licensing authority expects a higher level of control measures to be implemented when specific risks are identified relevant to any Local Factors, as well as in relation to managing security and preventing drunkenness and nuisance when later hours are applied for.
- 8.4 It is a matter for the applicant to consider and propose all measures they regard as appropriate to promote the licensing objectives with respect to the individual circumstances of their application. It is expected that applicants identify appropriate measures should through risk assessment of their premises before making the application.
- 8.5 Applicants are not restricted to only those Standards and associated measures outlined in the Licensing Policy and it is proper that they address all issues they consider appropriate to promote the licensing objectives. They may also wish to liaise with the Responsible Authorities and local residents or businesses in considering whether any additional issues may be relevant.
- 8.6 Where applicants elect not to include measures addressing the Standards identified, they should include information explaining the omission. This might be because a risk assessment has shown the step to be unnecessary or because the item is already the subject of another consent e.g. planning permission or a statutory obligation.
- 8.7 The authority expects any objection that proposes that a particular Standard should be considered relevant to demonstrate why the particular Standard is appropriate for the premises.
- 8.8 Therefore, all persons, including Responsible Authorities, are expected to consider these standards in relation to making any representation against an application.
- 8.9 The Standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.
- 8.10 Where a Standard relates to training, applicants are recommended to use specialised accredited training where available.

MS1 Implementation of effective security measures at the premises

It is expected that all licensed premises have in place effective and appropriate security measures in place relevant to the style of operation.

A stricter approach to security measures will normally be taken to nightclubs and bars, especially when they are large venues.

Relevant security measures include:

The control of entry to the premises

Consideration should be given to how:

- Queues to the premises will be managed
- Underage or known offenders will be detected and refused entry
- Capacity will be controlled, and
- Drunk or disorderly individuals will be prevented from being admitted

A relevant consideration will be whether security staff will be employed at the premises. It is expected that the need for security staff will be determined by documented risk assessment. Additionally, measures such as ID Scan machines could be implemented.

The effective management of queues outside the premises

Any queues must be managed effectively to prevent any nuisance or disorderly behaviour. Consideration is expected to be given to:

- Identifying the areas where queuing will be permitted to take place
- If barriers are to be used, and
- Any times and capacity restrictions to be enforced

The employment of SIA-registered door security

The need for door staff should be regularly reviewed and risk-assessed and appropriate security employed in accordance with the assessment. The authority encourages improving accountability through uniforms, visible identification and establishing a senior security officer to oversee and document all activities. Door supervisors are expected to be clearly identifiable when on duty.

Management should maintain a register of door supervisors before duty to ensure all identities of door staff can be verified and SIA registrations are active.

The start time for door supervisors should be appropriate to capture the likely arrival of the majority of customers at peak times and they should be employed in appropriate ratios to customers, including an appropriate ratio of male/female door supervisors. It is expected that door staff remain on duty until the premises has closed and the customers have dispersed for the premises. The authority also considers it good practice for management, staff and

door supervisors to hold security briefings to exchange information and intelligence at the start and end of duty.

The authority encourages premises to support door supervisors to attain skills in behaviour management and negotiation.

Consideration should also be given to the use of SIA-Approved Contractor Scheme companies.

When employed, the authority will expect the defined roles and responsibilities door supervisor to include:

- Controlling entry
- Recording incidents
- Assisting to facilitate transport for ejected, intoxicated and underage patrons
- Identifying and preventing drugs and/or weapons being brought on the premises
- Identifying intoxicated, disorderly, offensive and underage patrons
- Dealing with incidents of disorder at the premises, including crime scene preservation and management
- Assisting exit of customers to ensure the orderly dispersal of customers

The searching of patrons entering the premises.

The authority expects all nightclubs to have a documented policy setting out how searches will be conducted at entry. It is expected that other premises consider whether searches of customers entering the premises are required through risk assessment. Where searches are to be conducted, the authority recommends that a defined search policy be implemented.

Any search policy is expected to include provision for the following circumstances:

- **Records maintained of searches and seized items** – Records should be maintained of any searches where prohibited items are seized and removed. Records should be made available to the police.
- **Circumstances under which searches will be conducted** – Risk assessments should be conducted to consider when searches are appropriate.
- **Location of where searches will take place** – Areas should be covered by CCTV and not be in isolated areas.
- **Use of detection devices to detect weapons and drugs and when and where they will be used** – Consideration for appropriate detection devices (e.g. knife arch, search wands) should be risk-assessed and employed as appropriate.
- **Putting procedures in place for the seizure and retention of recovered drugs and other prohibited items** – Items recovered should be kept in a secure location and the police notified.

MS2 Effective monitoring of the premises (both interior and exterior) including the use of CCTV

It should be demonstrated how the premises will be effectively monitored, e.g. patrols by staff, which areas will be covered by CCTV, whether security staff will be employed and, if so, where – as well as any other appropriate measures. In addition appropriate monitoring of external areas, e.g. immediately outside the entrance to the premises, smoking shelters and beer gardens should be addressed where relevant.

CCTV provides an important tool not only in improving the perception of safety within premises but allows for the proper monitoring of the whole premises. If properly set up, it can also provide evidence if a crime is committed and so it is expected that the CCTV system should record clear images that will serve as valid evidence in a court of law.

Details of CCTV cameras should be provided (both internal and external). CCTV should be installed in liaison with, and to a standard approved by, Greater Manchester Police. Consideration should be given to the location of alcoholic products in off-licensed premises, particularly in relation to the ability of staff to effectively monitor the area in order to guard against the risks of shoplifting and to deter attempts by underage persons to purchase.

MS3 Management Standards

Effective management of the premises is integral to ensuring the operator's policies and procedures are actively enforced at the premises. The authority expects operators to:

- Ensuring staff comply with legislation and house policies, including emergency procedures and preservation of a crime scene
- Training staff in legislation (including the licence conditions) and managing patrons
- Identifying to police any illicit drug activity, prostitution, sexual assault and other offending occurring in and around the premises
- Conduct comprehensive risk assessments for activities at the premises. Risk assessments should be regularly reviewed and any appropriate action implemented immediately. Risks identified should be recorded and updated when appropriate

Premises are also encouraged to display a venue policy of accepted standards of dress and behaviour.

The authority considers it appropriate for all bar staff to be skilled in and responsible for:

- Identifying intoxicated and underage patrons
- Managing unruly patrons and incidents
- Understanding legislative provisions for service to intoxicated and underage patrons

- Requesting age identification
- Reducing patron frustration and agitation by effectively managing behaviour

The authority encourages improving accountability by staff wearing uniforms, visible identification and establishing a senior bar staff member to guide and assist other staff.

The authority expects premises to ensure sufficient ratio of staff to patrons to ensure effective and efficient operation of the premises.

MS4 Ensuring responsible management of externally promoted events at the premises

Promoted events may attract larger than usual crowds and particular promotions may have specific risks associated with them.

Where premises intend on having externally promoted events, operators will be expected to complete the promoter pro forma and notification given to GMP and the licensing authority at least 28 days before the event, to ensure the event is appropriately risk-assessed by the premises. Where externally promoted events are demonstrated to undermine the licensing objectives at a premises and where its discretion is engaged upon a review of the licence, the licensing authority may impose a condition prohibiting such events at the premises.

MS5 Implementation of effective measures to identify and manage drunkenness on the premises

Patron intoxication at licensed premises is recognised as a principal contributor to alcohol-related harm. Most measures intended to limit customers becoming intoxicated rely on action being taken by the management and staff at the premises.

Premises licensed for the sale of alcohol for consumption on the premises should have a written policy in relation to preventing, identifying and managing drunkenness. Premises should not admit persons who are visibly intoxicated and staff should be trained regarding responsible alcohol sales, identifying drunkenness and preventing alcohol sales to them.

Consideration should be given to:

- Taking practical steps to prevent drink-driving e.g. designated driver scheme
- Displaying information and posters throughout the premises that staff have a duty to prevent the sale of alcohol to customers who are drunk
- Ensuring alcohol-free options are readily available and affordable
- The use of till prompts and written or electronic records of refused sales
- Ensuring alcohol-free options are readily available
- Limiting the alcoholic strength % abv inside different beverage categories e.g. beers, lagers, ciders, wines

- Managing the volume of alcohol sold e.g. products that encourage rapid down-in-one drinking or large quantities for self-service
- Instructing glass collectors and/or roaming staff how to identify drunk customers being bought alcohol by companions on their behalf
- Providing a duty of care for drunk and incapable customers providing a safe space for welfare or first aid while getting further help
- Making appropriate arrangements to ensure the safe transport home of vulnerable customers or requesting medical assistance when needed

MS6 The responsible promotion and sale of alcohol at the premises

All premises licensed to sell alcohol are expected to consider how any promotions could impact upon the mandatory licence condition for on-licensed premises prohibiting irresponsible promotions (see Appendix 3). Where any promotion results in an adverse impact upon the licensing objectives, it should be ceased with immediate effect. All premises should be able to demonstrate how promotions will be risk assessed and effectively managed.

The licensing authority considers products that encourage rapid down-in-one drinking present a high risk to the promotion of the licensing objectives as they encourage people to drink more than they might ordinarily do and in a manner that undermines the licensing objectives. A stricter approach will be taken towards premises offering:

- 'Bomb-shots', shooters and similar products
- Large volumes of alcohol for self-service; and/or
- Promotions that require a minimum purchase amount of alcohol

Consideration may also be given to prohibiting inducements by DJs to consume greater quantities of alcohol.

Off licence premises should give particular consideration to alcohol promotions at the premises, including the location within store of any promotional activity.

The licensing authority is keen to ensure only responsible promotions of alcohol are conducted, and would expect that no alcoholic product is sold at a price less than the cheapest non-alcoholic drink available, excluding any potable water that must be provided to customers in accordance with the mandatory licence condition.

It is mandatory for every sale or supply of alcohol to be authorised by a person who holds a Personal Licence and a record of named authorised persons should be available at the premises at all times (so-called 'letter of delegated authority'). In addition, the licensing authority considers it good practice for alcohol-licensed premises to ensure that there is a Personal Licence holder on site at all times the premises is open for the sale of alcohol. The authority considers it appropriate for multiple personal licence holders to be on the premises where the premises:

- Has more than one bar
- Is large
- Is likely to attract a high proportion of 18-25 year olds
- In areas experiencing problems of alcohol-related crime and disorder

Server Training in responsible service of alcohol

The authority expects alcohol licensed premises to demonstrate a commitment to responsible service of alcohol at the premises by ensuring staff involved in the sale of alcohol are fully competent to do so.

All staff at the premises should receive comprehensive induction training prior to being authorised to sell alcohol and refresher training must be delivered regularly. Training records must be maintained and detail: the content of the training, date, name and qualifications of the trainer, signatures of the trainer and trainee. Training records must also include:

- Evidence that the trainee has gained knowledge / understanding of the training (for example, a test or quiz, completed and signed by the trainee)
- The nature of alcohol and its effects as well as unit awareness
- What affects how quickly a person becomes drunk
- How over-service of alcohol impacts on the four objectives of the Licensing Act 2003
- The penalties for selling alcohol to a person who is drunk
- How to make a refusal
- How to record a refusal
- How to recognise drunkenness from a checklist of visible signs
- How to monitor for companions buying alcohol on behalf of a person who is drunk
- What to do with a vulnerable person and how to identify a medical emergency
- The premises policy to ensure the premises operates legally and responsibly to prevent, identify and manage drunkenness

Management will be expected to ensure these policies are enforced in practice.

MS7 Preventing the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises

A zero-tolerance policy should be implemented regarding the use of illegal drugs and new psychoactive substances (NPS), commonly referred to as 'legal highs' on the premises. The mixing of cocaine use and alcohol has been linked to greater levels of social and

physiological harm than the use of either substance individually; including propensities to violence. Also, in accordance with the Government's revised guidance issues under section 182 of the Licensing Act, the licensing authority considers that the sale and use of new psychoactive substances, including nitrous oxide, undermines one or more of the licensing objectives.

Where there is a risk of illegal drug use on the premises, the authority expects that a documented policy setting out how drugs will be prevented from being brought into the premises, what action the venue will take should anyone be caught with drugs on the premises, and how the drugs will be disposed of. The authority considers that nightclubs, in particular, address these risks but it may also be appropriate for other licensed premises.

Relevant considerations could include:

- The use of toilet attendants or regular documented toilet checks
- Searches of the premises
- Training of staff in drug awareness to identify and prevent the supply and use of both illegal drugs and new psychoactive substances.
- Physical measures to deter drug use on the premises

Licensees should also consider what action will be taken to prevent the spiking of drinks at the premises i.e. where drugs or alcohol are added to someone's drink without them knowing. Alcohol is the common substance used to spike drinks. This could include encouraging customers to ensure that drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.

Licensees should also have reference to "Safer nightlife: best practice for those concerned about drug use and the night-time economy" published by the Home Office and London Drugs Policy Forum.

The licensing authority considers that the sale and use of new psychoactive substances (NPS), including nitrous oxide, undermines one or more of the objectives. Responsible Authorities will closely monitor any licensed premises that may be selling so-called 'legal highs' including nitrous oxide and enforcement action will be taken as appropriate.

The authority will consider whether there is evidence that it would be appropriate to impose a condition specifically in order to promote one or more of the statutory licensing objectives, including public safety and protecting children from harm.

Relevant conditions may include preventing the sale of such products alongside the sale of alcohol at licensed premises (including off licences), this could also include imposing a door policy for on licensed premises.

MS8 Operation of a documented glass policy for the premises

In the UK, glasses and bottles are the most commonly used weapons in violence occurring in drinking environments. Incidents involving glass tend to result in more severe injuries.

The authority expects that high quality polycarbonate glass (PCG), should be used to reduce the opportunities for glass to be used as a weapon and opportunities for accidental glass-related injuries, both within licensed premises and on the streets, when appropriate. A documented risk assessment should be conducted for the use of glassware on the premises and safer drinking vessels

Operators will be expected to be able to demonstrate how glass collections will be managed throughout the premises to prevent an accumulation of glassware at the premises, and how customers will be prevented from leaving the premises with glassware.

When the authority's discretion is engaged, consideration may be given to requiring all glassware to be replaced by high quality polycarbonate glass (PCG) alternatives, where appropriate and proportionate at 'high risk' premises, particularly in relation to alcohol-related violence.

MS9 Preventing on-street consumption of alcohol

Manchester City Council has previously implemented Designated Public Place Orders (DPPO'S). With effect from 20th October 2014, any new or renewal of such order are known as Public Space Protection Orders ('PSPO'), in areas throughout Manchester in order to help address and prevent numerous problems caused by public consumption of alcohol. Street drinking can be a major cause of antisocial behaviour, often involving underage persons, which gives rise to disorder, concerns over public safety and harm to children. Additionally, it is widely reported that consumption of alcohol by persons on the way to on-licensed premises gives rise to problems of drunken and disorderly behaviour. Licensees should ensure all staff are aware of the DPPO/PSPO when situated within the designated area and reinforce the "No Street Drinking" warning at point of sale.

Other conditions may be imposed directed at avoiding problematic street drinking in the vicinity of the premises. Another particular concern will be irresponsible drink promotions that do not follow best practice, such as the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks that would appeal to underage drinkers or street drinkers, or that encourage excessive consumption.

MS10 Duty of Care for intoxicated or vulnerable customers and medical emergencies

Procedures are expected to be in place at the premises to initiate 999 calls when an emergency concerning a person's physical safety is in progress.

MS11 Maintaining a safe capacity and recording customer numbers

Overcrowded venues can contribute to alcohol-related harms in several ways, often through interrelationships with other risk factors.

In crowded venues, patrons tend to drink more alcohol to overcome discomfort and anxiety associated with crowding. Crowding also interferes with the ability of staff to determine if a patron is intoxicated, stemming from:

- Pressure to serve quickly, reducing attention to the indicators of intoxication
- Patrons purchasing drinks on behalf of other patrons
- High levels of noise, impairing the ability of staff to hear verbal cues of intoxication, as well as verbal confrontation that may lead to aggressive acts (Doherty & Roche 2003)

These factors may also adversely influence the desire and capacity of staff to assess and seek confirmation of proof of age by purchasers of alcohol, potentially leading to service of underage patrons.

Capacity should be managed effectively and in accordance with an appropriate risk assessment to prevent overcrowding. Advice should be sought from the Responsible Authorities in relation to the safe capacity for premises and how it should be managed.

Potential measures to prevent crowding in licensed premises include:

- Designing or redesigning premises to assist traffic flow and prevent congestion
- Removing or limiting physical barriers such as seats and tables in high traffic areas
- Incorporating monitored surveillance to identify problems and assist investigations
- Seeking planning opinions from local council, health and other providers
- Complying with patron numbers set out in the fire risk assessment
- Setting and adhering to minimum staff to patron ratios for bar, management and security staff
- Monitoring patron numbers and limiting or eliminating pass outs
- Displaying signage regarding maximum capacity

MS12 Ensuring the presence of trained first aiders / designated welfare staff

This may include steps will be taken to identify vulnerable person(s) and respond to accidents, injuries and other immediate harms such as unconsciousness, alcohol poisoning, and drug intoxication. It is expected that, in particular, premises licensed to sell alcohol for consumption on the premises, especially those trading during later hours, and takeaways implement appropriate measures.

MS13 Prevention of noise nuisance from the premises

Noise disturbance from licensed premises normally arises two ways. The first is in noise breakout from licensed premises themselves, which affects adjacent properties either via

transmission through the structure of the building, or through airborne sound. This can be caused by noise from music, vibration and/or raised voices.

Research has identified seven factors that influence the magnitude of the people's subjective response to noise. These are: sound level, background (ambient) level, differences between listeners, the context into which the sound intrudes, music type, bass level and bass beat.

Low-frequency energy is also more transmissible over distance and through building structures and tends not to be present in the background noise environment. The introduction of a low-frequency bass-beat will therefore be more noticeable to nearby residents, particularly late at night.

Consideration should be given to the risk of nuisance from music breakout to the premises and include all appropriate measures. Relevant measures could include:

- The provision of acoustic glazing
- The installation of sound limiters linked to any sound amplification equipment at appropriate levels
- The provision of acoustically treated ventilation
- The installation of an acoustic lobby at entrances and exits to premises to act as a physical barrier between the inside of premises and the outside environment
- Prohibition of the external playing of amplified music
- Restriction of the hours of operation of outside drinking areas
- Establishment of maximum noise levels
- The provision of a scheme of internal acoustic treatment to the premises.

The second source of noise disturbance emanates from activities in the street, typically from patrons arriving, using external areas such as smoking areas or designated drinking areas/beer gardens, or upon leaving the premises.

Licensed premises need to ensure the orderly conduct of customers from the premises. Relevant considerations include:

- Use of a last entry time to the premises to reduce the possibility of persons causing noise and disturbance late at night who may have been attracted to the premises
- Prominent display of notices requiring courtesy for neighbours
- Preventing customers from congregating outside
- Imposing a curfew on times that re-admittance will be permitted to customers e.g. customers leaving the premises to smoke
- Directing to and advising on available public transport

- Providing contact details for taxi/private hire firms and provision of a call-back service
- Use of a dedicated taxi/private hire service
- Implementing dispersal and smoking policies based upon good practice
- Use of a winding-down period
- The role of door supervisors in managing persons leaving

MS14 Effective management of exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)

Where the premises include any exterior areas, licensees should demonstrate what measures are in place to prevent issues that may give rise to problems. Relevant considerations should include:

- A limit on the number of patrons in such areas
- Whether there is a curfew on using them
- How they will be delineated, if relevant
- How will premises be kept clean and free of litter, particularly at the end of trading
- What supervision will be in place?
- Will the premises be covered by CCTV?
- Will glasses be allowed outside?
- What glass collection arrangements will be in place?
- How to avoid customers causing noise disturbance
- How the premises will prevent begging at, and in the immediate exterior of, the premises.

MS15 Cleansing arrangements; including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

Where the licensable activities could give rise to litter being dropped in the vicinity of the premises, the measures in place to prevent this occurring and/or to tidy it up should be demonstrated. Such measures could include regular litter inspections during the hours of operation and at the close of business, the placing of litter bins in prominent areas of the premises, reducing packaging, and the use of branded packaging.

Commercial waste left outside premises overnight for collection is a major cause of night-time litter and adds significantly to the cost of street cleaning.

Areas in which licensed premises and takeaways are bunched tend to have the highest footfall and consequently place the greatest demand on cleansing teams. The worst of the litter can be found around congregation areas, such as bus stops, club entrances, fast food outlets, and convenience stores.

Adequate and secure storage for refuse should be provided that is appropriate for the nature of the business. Particular regard should be given to the management of glass bottles to prevent them being taken outside the premises as potential weapons, and to the emptying of bottles into refuse containers at times that could disturb local residents and businesses. The irresponsible use of flyers can also cause major litter problems. Any use of flyers and other promotional material should be done in a responsible and appropriate manner. It should be noted that permits are required for handing out flyers in various areas of the city. The use of flyers may be restricted in areas experiencing problems with litter associated with licensed premises.

MS16 Ensuring the wellbeing of children on the premises

Regard should be had to specific risks that may arise when children are on the premises. The risk assessment should be documented and available for inspection by the Responsible Authorities upon request. Special consideration is expected to be given to promoted events in licensed premises aimed at, or likely to attract, persons under 18. The licensing authority expects robust measures to be in place to address potential risks associated with such an activity.

Relevant considerations could include:

- Will access be restricted to certain areas of the premises?
- Will alcohol sales to adults in charge of children be limited?
- Is there adequate supervision?
- Are the areas covered by CCTV?
- Will alcohol sales be restricted in areas where children are permitted?
- How will children be prevented from accessing alcohol?
- How will children be protected from alcohol advertising and promotions?
- How will children be protected from adults who are intoxicated?
- Arrangements to prevent children from acquiring or consuming alcohol
- Arrangements for the appropriate instruction, training and supervision of staff to prevent children from acquiring or consuming alcohol
- Steps to prevent children from being exposed to drugs, drug taking or drug dealing
- Arrangements to prevent children from being exposed to gambling

- Steps to prevent children from being exposed to entertainment of an adult or sexual nature
- Steps to prevent children from being exposed to incidents of violence or disorder
- Measures to prevent children from being exposed to environmental pollution such as excessive noise
- Measures to prevent children from being exposed to special hazards such as falls from height
- Arrangements for appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
- Restrictions on the access by children to the whole or any part of the premises, including times when children may not be present
- Means for ensuring that nominated persons supervising children are suitable. To include training in supervising adults in safeguarding principles and where necessary disclosure from the Disclosure and Barring Service

A stricter approach to permitting the presence of children will be taken where any of the following apply:

- Convictions for serving alcohol to minors or premises with a reputation for, or inadequate arrangements to deter, underage drinking
- A known association with, or inadequate arrangements to deter, drug taking or dealing
- A strong element of gambling on the premises (but not, for example, the presence of a small number of cash prize gaming machines)
- Entertainment of an adult or sexual nature is provided
- Inadequate arrangements to protect children from the supply and use of other products that are illegal to supply to children
- There are inadequate controls on the times during which children may be present on the premises
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises

Where relevant representations are received, conditions may include:

- Limitations on the hours when children may be present
- Age limitations below 18
- Limitations or exclusions when certain activities are taking place
- Access limited to parts of the premises

- Requirements for accompanying adults
- Full exclusion of under 18s from the premises when any licensable activities are taking place

MS17 Defining a specified cut off time for children on the premises

The licensing authority will not impose conditions that restrict or prevent access by children unless relevant representations are made and doing so is considered appropriate to promote the 'licensing objectives'. Where relevant representations are received, the licensing authority may seek to ensure that children are not permitted to enter or remain on licensed premises after a 'specified cut off time' by attaching an appropriate licence condition.

In determining a 'specified cut off time', the licensing authority will take into account:

- The concerns raised by responsible authorities and interested parties
- The steps set out in the operating schedule that the applicant will take to protect children from harm on such premises
- The type of event for which no age restriction may be needed e.g. family entertainment; non-alcohol event

MS18 Proper management of any child performers

It is expected that any child performers are properly licensed with the Council's Juvenile Employment Department and a nominated adult is present to act in a supervisory capacity.

MS19 Ensuring age restrictions are enforced effectively when showing films

Where age-restricted films are displayed, appropriate and effective measures must be in place to ensure relevant age restrictions are complied with.

MS20 Preventing underage sales of alcohol, including proxy sales

Effective and appropriate measures must be taken to ensure age restrictions are enforced at the premises. Relevant considerations include:

- Details of what forms of ID are acceptable
- The use of till prompts
- The maintenance of refusal logs
- Staff training

In accordance with the mandatory licence conditions, all premises licensed to sell alcohol are required to have an age verification system in place. The licensing authority's preferred

approach is Challenge 25, whereby any person considered by the seller to be under the age of 25 is required to provide proof they are aged 18 or over. Documented staff training is expected, particularly in relation to activities consistent with the licensing objectives, including (but not limited to):

- Any access restrictions to the premises by children
- The law in relation to young people and alcohol/ age restricted goods
- What are age restricted goods
- How to monitor for proxy purchase
- The penalties for making an underage sale
- How to make a refusal
- How to record a refusal
- Types of acceptable ID and how to check it
- The four objectives of the Licensing Act 2003
- The premises policy to ensure the premises operates legally and responsibly to prevent underage sales
- Any restrictions on the sale of alcohol to adults in charge of children
- Raising awareness of child sexual exploitation, how to recognise it and how to react

The authority expects staff to receive induction training prior to being authorised to selling age restricted goods and refresher training must be delivered regularly. Training records must be maintained and detail: the content of the training, date, name and qualifications of the trainer, signatures of the trainer and trainee. Training records must also include evidence that the trainee has gained knowledge /understanding of the training (for example, a test or quiz, completed and signed by the trainee).

Premises licensed for the sale of alcohol should take proactive steps to prevent this occurring. Possible measures include:

- Regular checks around and/or outside the premises for underage persons encouraging adults to purchase alcohol for them
- Use of CCTV, particularly in external areas
- Displaying prominent notices in the premises explaining the law in relation to purchasing alcohol on behalf of persons under 18 and the penalties involved

MS21 Display of child welfare and CSE information in public areas of the premises

Where children are allowed on the premises, information should be available on what to do if there is a cause for concern regarding a child's welfare as well as child sexual exploitation (CSE). This can include reporting to Manchester Safeguarding Children Board (mcsreply@manchester.gov.uk), telephoning the 24-hour Contact Centre for Social Care (0161 234 5001) or dialling 999 in the event of an immediate risk of harm.

9 Alcohol Delivery Services

- 9.1 The authority considers there are particular risks associated with delivery services for alcohol. The authority expects measures consistent with those expected for licensed premises and relevant Standards outlined in Section 8 of this Policy.
- 9.2 The authority expects operators to implement age verification procedures at both the point of sale and delivery stages, with Challenge 25 policy implemented at the point of delivery.
- 9.3 Particular attention should be paid to making it clearer to customers that receipt of orders that contain alcohol must be by an adult. Retailers should ensure that delivery staff have been given appropriate training in procedures relating to requesting and identifying proof of age, and implement these procedures as standard.
- 9.4 Any promotional material including the name of the business and website should be consistent with the responsible sale of alcohol. Additionally, any website URL or telephone numbers to be used for orders is expected to be provided to the licensing authority.
- 9.5 A zero-tolerance approach to new psychoactive substances (NPS) is also expected of operators.
- 9.6 The delivery of alcohol to problematic house parties causing local nuisance and disorder has been a problem in some areas of the city. Operators are expected to use their discretion to ensure that deliveries are refused in situations experiencing alcohol-related nuisance or disorder.
- 9.7 Where the authority's discretion is engaged following relevant representations, conditions restricting the operation of alcohol delivery services may be imposed by the authority where appropriate for the promotion of the licensing objectives.

10 Adult entertainment (including striptease, nudity and other entertainment of a sexual nature)

- 10.1 The licensing authority will have regard to the following additional matters in respect of applications to provide adult entertainment, including entertainment of a sexual nature, e.g. nudity, striptease and lap dancing.
- 10.2 For premises that wish to provide such entertainment, the authority will also take into account the location of the premises in relation to their proximity to the following sensitive uses (in addition to the Local Factors in Section 7):
- Housing and residential accommodation
 - Schools, play areas, nurseries, children's centres and other educational establishments
 - Family shopping and leisure areas
 - Places of worship
 - Historic buildings and tourist attractions
 - Other places where such entertainment takes place
- 10.3 Additionally, the licensing authority expects licensees to consider additional measures in their operating schedule when applying to provide adult entertainment if they are considered appropriate for the promotion of the licensing objectives:
- The exclusion of under-18s from the premises
 - A code of conduct for customers
 - A code of conduct for dancers and performers
 - Documentary checks for dancers and performers, including proof of age, identity and (where appropriate) proof of permission to work
 - How the entertainment will be advertised and promoted at the premises
- 10.4 It is expected that any codes of conduct would be developed in consultation with the licensing authority and Greater Manchester Police having regard to the Council's Policy and Standards Condition for sex establishments.

11 The use of tables and chairs on the public highway

- 11.1 Licensed premises that wish to provide tables and chairs on the public highway may only do so under permission of a Tables and Chairs licence issued by Manchester City Council's Licensing Unit.
- 11.2 Tables and Chairs licences are subject to their own specific restrictions, including limitations on the hours during which glassware may be used and the number of tables and chairs that may be provided.
- 11.3 Where these areas include the provision of any licensable activities, including the sale of alcohol where a temporary bar is provided in the area, they must be included in the plan attached to the Premises Licence or Club Premises Certificate.
- 11.4 Licence and Certificate holders are expected to have specific regard to the impact upon the licensing objectives that the operation of any areas on the public highway that are licensed for tables and chairs might have as set out in the Standards.

12 Premises Licences for large-scale public events

- 12.1 The authority considers that there are specific risks associated with the holding of large public events, such as concerts and festivals. Therefore, this section sets out particular expectations as to how such events are expected to be managed. The policy does not define what events will be expected to comply with this section and, in doubt; applicants are advised to seek advice from the Licensing Unit. Manchester City Council's Events Unit holds a number of Premises Licences for public areas throughout the city. If you wish to hold an event in a public space in Manchester, it is strongly recommended that you contact them in the first instance.
- 12.2 In considering applications for such events, the licensing authority will have particular regard to any track record of the event organiser as well as the comprehensiveness of the event arrangements.
- 12.3 Licensees are expected to have regard to the management standards in Section 8 of the Licensing Policy as well as address the following elements:
- a) Setting up a management group for the event comprising of relevant agencies including, but not limited to all responsible authorities.
 - b) Overall event safety control
 - c) Production details
 - d) Medical and first aid provision
 - e) Site management and the structural integrity of all temporary structures
 - f) Crowd management, stewarding and security
 - g) Fire safety and control
 - h) Configuration and control of sound systems
 - i) Management of any on-site and off-site car parking
 - j) Management of concessions and franchises
 - k) Provision and maintenance of water supplies
 - l) Welfare and provision of information
 - m) Provision and maintenance of sanitary facilities
 - n) Reception collection and removal of litter and other waste
 - o) Liaison with local residents and businesses
- 12.4 Relevant details in respect of the above may include:
- The proposed capacity of the event
 - The provision of plans to agreed scales detailing exits, entrances, temporary bars, marquees and all facilities to be provided within the premises
 - Details of proposals for entertainments, together with information regarding any special effects
 - Details of proposals for concessionary activities, including food franchises, bars, restaurants and non-food retail sales
 - An alcohol management plan, which will include details of:

- i) Responsible Alcohol Service
 - ii) The Designated Premises Supervisor
 - iii) Personal Licence holders
 - iv) Control of the sale of alcohol
 - v) Proof-of-age policy
 - vi) Promotion of responsible drinking
 - vii) Appropriate signage
- A Safety Policy and Risk Assessment for the event
 - Details of arrangements for co-ordinating and controlling event safety on the site
 - A site safety plan, including site safety rules, requirements for construction and breakdown of site, structural safety calculations, drawings of temporary structures and safety barriers, details of electrical installations and lighting arrangements
 - Incident contingency and emergency plans (including a Major Incident Plan)
 - A crowd management, stewarding and security plan (taking into account the views of Greater Manchester Police)
 - A medical ambulance and first aid plan
 - A fire safety plan
 - A traffic management plan drawn up in consultation with the Traffic Subgroup that will involve the event organiser and their contracted service providers, all relevant identified departments of Manchester City Council, Greater Manchester Police, Greater Manchester Fire Service, North West Ambulance Service, TfGM, Metrolink and private sector partners and suppliers. Where areas covered by other local authorities could be affected by the event, relevant departments of those respective authorities should also be included
 - A sound assessment with details and proposals for monitoring and controlling sound emission
 - Details for the provision of cleaning and maintenance of sanitary accommodation, washing facilities and drinking water
 - Details for reception collection, litter and disposal of other waste
 - Details of welfare arrangement facilities and provisions for information on site
 - Details of the arrangements and facilities for disabled persons

12.5 Consideration should not solely focus on the activities taking place within the area of the licensed premises. Appropriate measures to address issues outside the licensable area include:

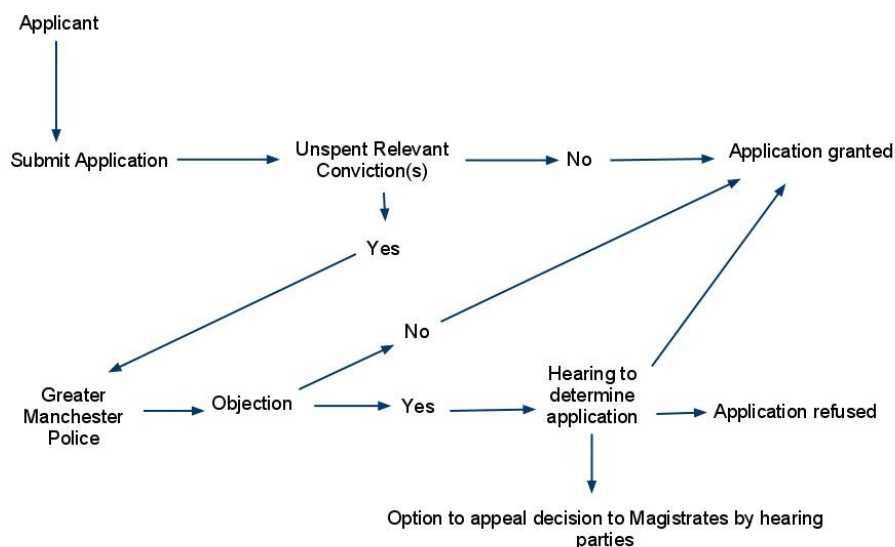
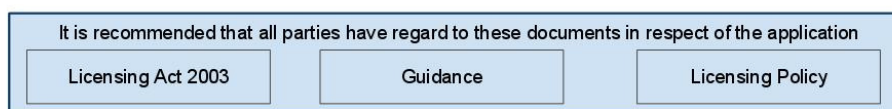
- Putting in place plans that will assist to minimise disruption to the day-to-day lives of local residents, businesses and existing operations for the period of the event

- Providing a robust traffic and transport plan that takes into account the needs of the local community – and minimises the impact of visitors to the area for the event – while maintaining a safe and convenient point of access and egress for the attendees within the parameters of existing traffic, transport and parking provision
- Putting in place a strategy to manage the consumption of alcohol by visitors accessing and leaving the event in the public realm and highway
- Putting in place a strategy for the control of access to and egress from the licensed premises for the control of disorderly behaviour
- Providing facilities external to the licensed area that will assist in the management of the access and egress of visitors to the event – and minimise the impact on the existing public realm – including, but not restricted to, additional toilet facilities and a designated park and ride area
- Putting in place a cleansing strategy beyond the immediate perimeter of the licensed premises in association with the local authority
- Providing communication channels for the local community that will enable residents and businesses to access sufficient detailed information prior to the event days
- Providing a hotline and information phone number for residents and local businesses for the duration of the event

12.6 Licensees are expected to have reference to The Event Safety Guide – A Guide to Health, Safety and Welfare at Music and Similar Events, commonly referred to as ‘The Purple Guide’.

13 Personal Licences

- 13.1 A Personal Licence authorises a person to sell or supply, or authorise the sale or supply, of alcohol on a licensed premises.
- 13.2 A Personal Licence is granted by the local authority where the person ordinarily resides and has effect until surrendered or revoked. The licence is portable although changes of home address must be notified to the issuing licensing authority.
- 13.3 In order to be eligible, a person must:
- Be 18 years or over
 - Possess an accredited licensing qualification
 - Have not forfeited a Personal Licence in the past five years
 - Have no unspent convictions (offences related to dishonesty, licensed premises or Personal Licence, firearms, violence, drink drive and other alcohol-related offences in the UK or abroad)
- 13.4 Where an applicant for a Personal Licence has an unspent conviction for a relevant offence, the licensing authority will consult with the police, who shall consider whether an objection is appropriate based upon a likely breach of the crime prevention licensing objective.
- 13.5 Where the police have issued an objection notice, the policy is that, following a hearing, the licensing authority will refuse the application unless there are exceptional and compelling circumstances that justify granting it.



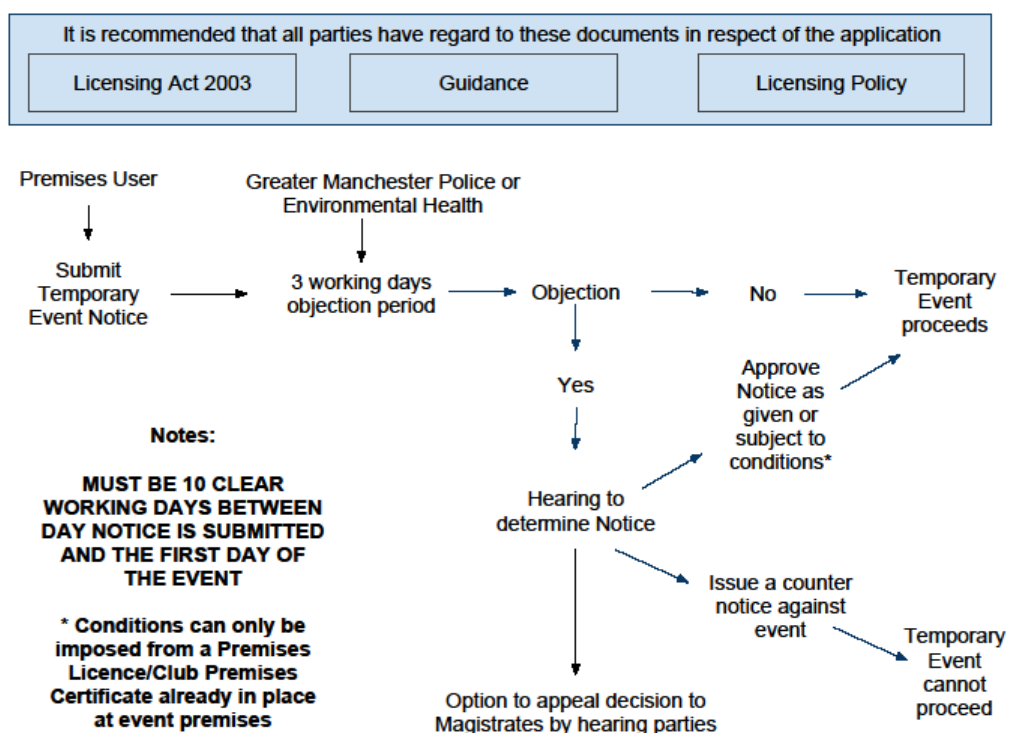
14 Temporary Event Notices

- 14.1 Temporary Event Notices, commonly referred to as TENs, can be used to authorise premises for licensable activities for temporary periods or specific occasions.
- 14.2 Unlike applications for Premises Licences and Club Premises Certificates, the licensing authority does not grant Temporary Event Notices. Instead, the premises user notifies the licensing authority of their intention to hold an event and, in general, only the police and the council's Environmental Health function can intervene to prevent it taking place or agree modifications to the event arrangements.
- 14.3 TENs are subject to a number of defined limits and it is only when one of these is exceeded that the licensing authority can intervene and will return the notice as void. Otherwise, the licensing authority will just acknowledge the Notice, which may be done electronically.
- 14.4 A number of limitations on TENs are:
- The number of times a person (the 'premises user') may give a Temporary Event Notice (50 times per year for a Personal Licence-holder and five times per year for other people)
 - The number of times a Temporary Event Notice may be given for any particular premises (15 times in a calendar year)
 - The length of time a temporary event may last (168 hours or seven days)
 - The scale of the event in terms of the maximum number of people attending at any one time (fewer than 500)
- 14.5 There are two types of TEN; a standard TEN and a late TEN. These are subject to different processes.
- A standard TEN is given no later than ten working days before the event to which it relates
 - A late TEN is given not before nine and not later than five working days before the event

Standard Temporary Event Notices

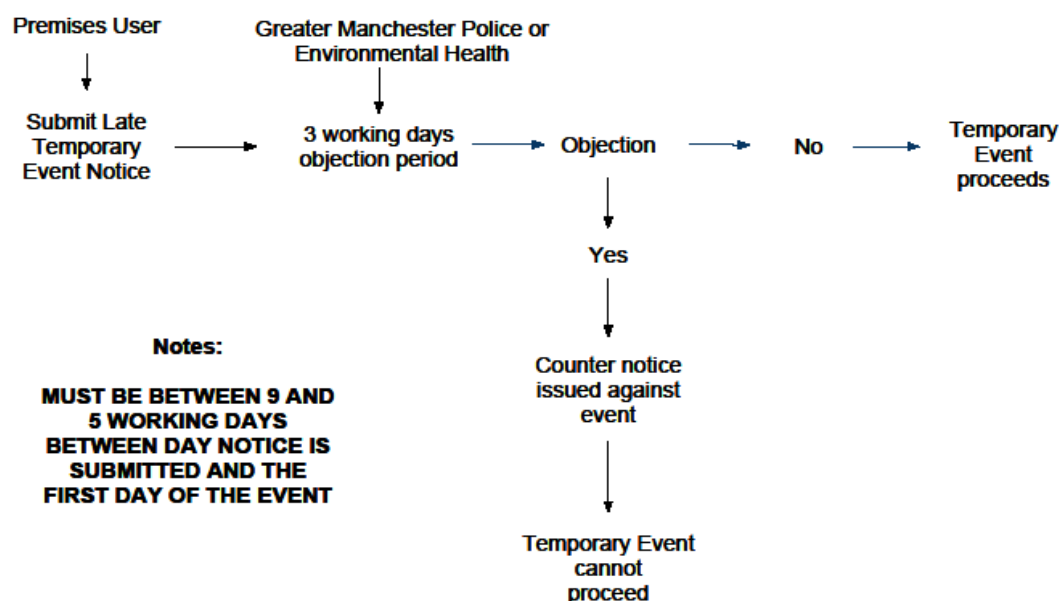
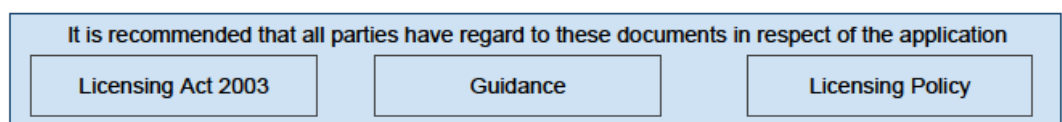
- 14.6 Standard Temporary Event Notices must be submitted to the licensing authority no less than ten working days before the first day of the event. A 'working day' as defined by the Licensing Act is any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day that is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales. Ten working days' notice means ten working days exclusive of the day on which the event is to start, and exclusive of the day on which the TEN is given.

- 14.7 If the required notice is not given, the TEN cannot be acknowledged by the authority. Therefore, it is advisable to provide as much notice as possible.
- 14.8 Greater Manchester Police and Environmental Health may object to a TEN within three working days of their receipt of the TEN. An objection can be made on the grounds of any licensing objective. Where an objection is received (and not withdrawn), a hearing will be held to determine whether the event may proceed.
- 14.9 The police or Environmental Health may withdraw their objection notice at any stage if the proposed premises user agrees to modify the proposal to meet their concerns. A copy of the modified Notice should then be given to the licensing authority by the police as proof of the agreement.
- 14.10 The licensing committee may decide to allow the licensable activities to go ahead as stated in the Notice.
- 14.11 Where the Notice is in connection with licensable activities at a premises that already holds a Premises Licence or Club Premises Certificate, the licensing authority may impose one or more of the conditions from that authorisation on the Temporary Event Notice (insofar as such conditions are not inconsistent with the event). Where the authority considers that this is appropriate for the promotion of the licence objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for the police and Environmental Health.
- 14.12 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives; the policy is to issue a counter-notice against the Temporary Event Notice.



Late Temporary Event Notices

- 14.13 Late TENs are intended to be used by premises users who are required for reasons outside their control to, for example, change the venue at short notice.
- 14.14 A maximum of ten Late TENs per year can be submitted by a Personal Licence holder, and two per year for other people. Late TENs also count towards the total maximum number of TENs permitted during a calendar year, i.e. 50 per personal licence holder, and ten per non-personal licence holders. Where either of these limits has been reached, a counter notice will be issued if any more TENs are given.
- 14.15 Late Temporary Event Notices must be submitted to the licensing authority no more than nine working days and no less than five working days before the first day of the event. A 'working day' as defined by the Licensing Act is any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day that is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales. Working days' notice means working days exclusive of the day on which the event is to start, and exclusive of the day on which the TEN is given.
- 14.16 Greater Manchester Police and Environmental Health may object to a TEN within three working days of their receipt of the TEN. An objection can be made on the grounds of any licensing objective. Where an objection is made, a counter notice will be issued and the TEN will not be valid. It should be noted that this differs from the process for Standard TENs, which require any objection to be considered at a hearing.



15 Designated Premises Supervisors

- 15.1 Under the Licensing Act 2003, all licences that authorise the sale of alcohol must contain details of the Designated Premises Supervisor (DPS).
- 15.2 All applications to appoint a person as the premises supervisor must be accompanied by a form of consent from that person. Applicants for new licences that authorise the sale of alcohol should include the prescribed information in respect of the individual who the licensee wishes to have specified in the Premises Licence as the premises supervisor.
- 15.3 Applications must be in the prescribed form and accompanied by the specified documents and fee. Applications to vary an existing licence to specify a new person as the premises supervisor must be made on the prescribed form and be accompanied by the specified documents and fee.
- 15.4 Responsible Authorities will typically consider developing constructive working relationships with Designated Premises Supervisors, and the licensing authority expects this to be reciprocated to promote effective partnership working relations with the trade.
- 15.5 The Guidance to the Licensing Act states: 'the Designated Premises Supervisor is the key person who will usually be charged with day-to-day management of the premises by the premises licence holder including the prevention of disorder.' The licensing authority will not normally impose conditions related to the management competency of Designated Premises Supervisors, save where it is considered appropriate that in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder, public safety and public nuisance.
- 15.6 In exceptional circumstances, the police may object to the appointment of an individual as a Designated Premises Supervisor.
- 15.7 Where, following an objection by the police, the licensing authority is satisfied that the appointment of a person as a Designated Premises Supervisor would undermine the crime prevention licensing objective; the policy is to refuse the appointment or to remove them as the DPS in circumstances where they are already in post.

16 Enforcement and monitoring

- 16.1 It is essential that licensed premises comply with the terms of their licence and other requirements of the Licensing Act. Equally important is ensuring that premises not licensed to provide licensable activities are prevented from doing so.
- 16.2 The licensing authority works particularly closely with the Responsible Authorities, including its partners at Greater Manchester Police and Greater Manchester Fire and Rescue Service, based upon the principles of partnership working, in order to most effectively address licensing-related issues.
- 16.3 Enforcement action has been taken in respect of issues including unlicensed premises, underage sales, and breaches of licence condition by the Responsible Authorities such as Greater Manchester Police, Environmental Health and Trading Standards.
- 16.4 The licensing authority takes a risk-based and proportionate approach to regulatory enforcement and monitoring in relation to the likely impact of the premises upon crime and disorder, public nuisance, problems concerning public safety and the protection of children from harm. Therefore, higher-risk and problem premises will be targeted for enforcement activity whereas a lighter-touch approach will be adopted for low-risk, well-run premises.
- 16.5 Where premises are demonstrably participating in and contributing to recognised partnerships to pro actively prevent and address issues e.g reporting crimes to the police such information will not be considered to the detriment of the premises unless there is evidence that the licensing objectives are being undermine at that premises.
- 16.6 Where possible, the Licensing Authority would expect Responsible Authorities to work closely with any operator in order to successfully resolve issues before formal action is considered.
- 16.7 The licensing authority and partner agencies shall continue to work with all of the licensed trade through the provision of advice, information, education and training, as well as the promotion of good practice and behaviour and, in the first instance, licensees will be normally be given the opportunity to demonstrate their ability to achieve compliance.
- 16.8 However, where this opportunity is not taken, further failure to promote the licensing objectives will normally result in formal measures being taken, such as licence review and the possible implementation of sanctions by the Licensing Committee, including removal of licensable activities, reductions in hours or, ultimately, revocation of the licence.
- 16.9 Responsible Authorities will closely monitor any licensed premises that may be selling so-called 'legal highs' including nitrous oxide and enforcement action will be taken as appropriate.
- 16.10 The authority does not expect premises, particularly off-licences, to supply alcohol to any person who wishes to pay for it a later date. Any evidence that suggests an off-

licence is illegally lending money to consumers will be reported to the Illegal Lending Money Team and a review of the licence to be considered.

- 16.11 All licence and certificate holders are expected to routinely review their local circumstances and the impact of their premises. Where appropriate, action should be taken to ensure the premises operate in a manner that promotes the licensing objectives. Where circumstances change, the licence or certificate may be varied in order ensure that all conditions remain appropriate and the premises is operating in compliance. Depending on the circumstances, the minor variation process set out at Section 17 may be appropriate.
- 16.12 Additionally, where offences are committed, prosecution may be considered as well as a review being brought.
- 16.13 The principles of enforcement for the licensing authority focus on:
- Taking firm action against those who flout the law or act irresponsibly
 - Assisting businesses and others to meet their legal obligations
 - Promptly acting on issues of concern to local communities
- 16.14 The Responsible Authorities (see Appendix 1) are available to provide advice and support for licensees and members of the public in relation to any problems they may be encountering relevant to licensed premises.

Suspension for non-payment of fees

- 16.15 The licensing authority is required to suspend a Premises Licence or Club Premises Certificate if the annual fee has not been paid when it is due. Where a Premises Licence or Club Premises Certificate has been suspended, no licensable activities can be lawfully carried out at the premises until the annual fee has been paid. The suspension shall be lifted immediately upon payment of the fee and licensable activities may be resumed.
- 16.16 If an annual fee has not been paid by the due date, the licence holder shall be notified accordingly by the licensing authority and given notice of the date the suspension shall take effect.
- 16.17 Where payment has not been made by the due date as a result of a genuine administrative error, or because the licence holder disputed liability for the fee before or at the time of the due date, there shall be a grace period of 21 days to resolve the matter before the licence is suspended.

17 Minor variations

- 17.1 Under sections 41A to 41C of the Licensing Act 2003, an application may be made for small variations that will not impact adversely on the licensing objectives by way of a simplified 'minor variations' process.
- 17.2 Under this process, the licensee is not required to advertise the variation in a newspaper or copy it to Responsible Authorities. However, they must display a white notice at the premises in accordance with regulations for no less than ten working days, starting on the working day after the minor variation was given to the licensing authority.
- 17.3 Upon receipt of an application for a minor variation, the licensing authority shall consider whether the variation could adversely impact upon the licensing objectives. In considering the application, the licensing authority will consult relevant Responsible Authorities if there is any doubt about the impact of the variation on the licensing objectives or it requires specialist advice.
- 17.4 The licensing authority will also take into account any relevant representations received from any other person (who is not a Responsible Authority) in making a decision on a minor variation application. There is no right to a hearing under the minor variation procedure.
- 17.5 Applications must be determined no later than 15 working days, beginning on the first working day after the application was received by the licensing authority. There is no right of appeal against the decision of the licensing authority.
- 17.6 Where the licensing authority considers that the variation could adversely impact upon one or more of the licensing objectives, the application will be refused. If the application is not determined within 15 working days, the licensee will initially be offered the opportunity to treat the undetermined application as a new application.
- 17.7 Minor variations generally fall into four categories:
- Minor changes to the structure or layout of the premises
 - The removal of out-of date, irrelevant or unenforceable conditions
 - The addition of volunteered conditions
 - The addition of certain licensable activities
- 17.8 Applications to remove licensable activities will normally be approved as minor variations.
- 17.9 Variations to:
- Extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 23.00 and 07.00; or

- To increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are **excluded** from the minor variations process and must be treated as **full variations** in all cases. The licensing authority expects the applicant to clearly set out the reasons why the proposal could not adversely impact upon the variation. Where reasons are not provided, less weight will be given to the potential of the variation to not adversely impact on the licensing objectives. Generally, applications to add conditions will be considered as an exception to this presumption.

17.10 The authority will take into account the following matters in considering whether licensing objectives could be adversely affected by a proposed change:

- Any change of circumstances
- Any increase in capacity resulting from the variation
- Any pre-agreement of the variation by responsible authorities
- Track record of the premises and applicant
- The measures in this Policy

18 Film classifications

- 18.1 Where a Premises Licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to films to be restricted in accordance with:
- *Either* the BBFC classification;
 - *Or* where the film is not classified by the BBFC, any recommendations made by the licensing authority.
- 18.2 In accordance with the guidance issued under section 182 of the Licensing Act 2003, the licensing authority shall concern itself primarily with the protection of children from harm when classifying films. It will not use its powers to censor films save where there is clear cause to believe this is required to promote the licensing objectives.
- 18.3 The licensing authority considers the classification system used by the BBFC to be nationally understood and accepted. It will, therefore, use this system as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). However, it should be noted that the licensing authority is not obliged to follow these guidelines.
- 18.4 Requests for certification by the licensing authority should be made at least 28 days in advance of the proposed screening date and submitted to the Licensing Unit. Requests should include:
- A DVD copy of the film
 - Details of any existing classification issued by an existing classification body, whether within or outside the UK
 - A synopsis identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film
 - Such recommendation as may have been made by the film-maker upon age limit for the intended audience for exhibition of the film
 - Proposal of age restriction by the applicant

Appendices

Appendix 1: The Licensing Unit and Responsible Authorities

Below are the contact details for the Licensing Unit for the submission of applications and advice or enquiries about licensed premises.

Licensing Unit (Premises)

Premises Licensing		www.manchester.gov.uk/licensing
Manchester City Council		premises.licensing@manchester.gov.uk
Level 1 Town Hall Extension		
PO Box 532		
Manchester		0161 234 4512
M60 2LA		0161 274 7249 (Fax)

Below are the Responsible Authorities in Manchester for the purposes of section 13(4) of the Licensing Act 2003.

Licensing Authority

The Principal Licensing Officer		www.manchester.gov.uk/licensing
Premises Licensing		premises.licensing@manchester.gov.uk
Manchester City Council		
Level 1 Town Hall Extension		
PO Box 532		0161 234 1176
Manchester		0161 274 7249 (Fax)
M60 2LA		

Greater Manchester Police


GMP Licensing Partnership Team		www.gmp.police.uk
Level 1, Town Hall Extension		centrallicensing@gmp.police.uk
Lloyd Street		
Manchester		0161 856 3363
M2 5DB		

Greater Manchester Fire Authority

North Manchester: If the premises have a postcode within the ranges M1–M4, M8–M9, M11–M13, M18, M25.

The Fire Safety Manager		www.manchesterfire.gov.uk/authority/
Greater Manchester Fire and Rescue Service		n/a
Manchester Central Fire Station		0161 608 5310
Thompson Street		
Manchester		
M4 5FP		

South Manchester: If the premises have a postcode within the ranges M14–M16, M19–M23, M40, M90.




The Fire Safety Manager		www.manchesterfire.gov.uk/authority/
Greater Manchester Fire and Rescue Service		n/a
Withington Central Fire Station		0161 908 5410
Wilmslow Road		
Withington		
Manchester		
M20 4AW		

Public Health Authority

Public Health Manchester		n/a
PO Box 532		
Town Hall		dast@manchester.gov.uk
Manchester		
M60 2LA		0161 234 3436

Health and safety

Local authority premises, hospital premises and some university premises

Health and Safety Executive		n/a
Grove House		
Skerton Road		n/a
Manchester		
M16 0RB		0161 952 8200

All other premises

Environmental Health (Premises Licences)		www.manchester.gov.uk/envhealth/
1 Hammerstone Road		EnvH.Licensing@manchester.gov.uk
Gorton		
Manchester		0161 234 4854
M18 8EQ		

Environmental Health

Environmental Health (Premises Licences)		www.manchester.gov.uk/envhealth/
1 Hammerstone Road		EnvH.Licensing@manchester.gov.uk
Gorton		
Manchester		0161 234 4854
M18 8EQ		




Planning

Manchester Local Planning Authority (Premises Licences)		www.manchester.gov.uk/planning
PO Box 463		planning@manchester.gov.uk
Town Hall		
Manchester		0161 234 4516
M60 3NY		

Trading Standards

Trading Standards Service		www.tradingstandards.gov.uk/manchester/
1 Hammerstone Road		trading_standards@manchester.gov.uk
Gorton		
Manchester		0161 234 1555
M18 8EQ		

Manchester Safeguarding Children Board

Manchester Safeguarding Children Board		www.manchesterscb.org.uk
c/o Licensing Officer		miscb@manchester.gov.uk
Manchester City Council		
Floor 4		0161 234 3330
Town Hall Extension		
Albert Square		
PO Box 532		
Manchester		
M60 2LA		

The Inland Navigation Authority

(in relation to vessels on the Bridgewater Canal and Manchester Ship Canal only)

Manchester Ship Canal Co.		www.shipcanal.co.uk
Peel Dome		
Trafford Centre		n/a
Manchester		
M17 8PL		0161 629 8266

Appendix 2: Relevant information for residents and other persons

Local residents and businesses can play an important role in the licensing process, as it will be they who are most likely to be directly affected. This section provides useful information on understanding how to find out about applications and submit any comments (representations) in respect of them. Representations do not have to be objections and can be made in support of an application.

In this section, references to 'licences' shall also be relevant to 'Club Premises Certificates'.

Further useful information and guidance can be found on the Council's website at www.manchester.gov.uk/licensing and at <https://www.gov.uk/alcohol-licensing>

Finding out about the application

Applicants for new licences and variations to existing licences are required to advertise the application in two ways, by:

1. Placing a notice at or on the premises
 - On A4 (or larger) pale blue paper (or on white paper, in the case of an application for a Minor Variation)
 - Printed legibly in black ink or typed in a font of at least 16 point
 - Placed prominently at or on the premises where it can be conveniently read from the exterior of the premises
 - Placed every 50 metres on the external perimeter of the premises abutting any highway (where applicable)
2. Placing a notice in a newspaper (not applicable for a Minor Variation)
 - Newspaper circulation must be in the vicinity of the premises (or if there isn't a local paper, in a local newsletter or circular)
 - Advertisement will be at least once in the ten days following the application being given to the licensing authority

Both of these notices are required to give a brief description of the application.

A notice will also be published through the MyArea section on the Council's website (www.manchester.gov.uk) outlining key details in respect of an application, including:

- The name of the applicant or club
- The postal address of the applicant or club
- The postal address and, where applicable, the internet address where we keep our licensing register and where and when the record of the application may be inspected
- The date by which representations from Responsible Authorities or other persons should be received and how these representations should be made

- That it is an offence to knowingly or recklessly make a false statement in connection with an application, and the maximum fine for which a person is liable on summary conviction for the offence

Additionally, the Licensing Unit provides email notifications of applications received by the licensing authority on a ward-by-ward basis. You can receive notifications by contacting the Licensing Unit (see Appendix 1), providing a valid email address and confirming the wards you wish to receive notifications for. While the Licensing Unit will normally advise of all applications within the ward, the Council is not legally required to do so. This information is provided as a courtesy to members and residents and there may be occasions when notice is not provided. Therefore, it is good practice to regularly check the Council's register of licence applications and notices on premises in your local area.

Licensing Register

The Licensing Register contains copies of all Premises Licences and Club Premises Certificates in Manchester. An application can be viewed in person upon appointment with the Licensing Unit or a copy can be provided upon request. The licensing authority's 'licensing register' is available online at:

www.manchester.gov.uk/licensingregister

Representations

If you want your views to be considered by the Council in respect of a particular application, you must submit a 'relevant representation'. A relevant representation must:

- (a) Be made by any person or Responsible Authority (see Appendix 1)
- (b) Be made in writing to the licensing authority
- (c) Be received by the licensing authority no later than 28 days after the date the application was made (ten days for a minor variation)
- (d) Relate to the likely effect of the granting of the application upon one or more of the licensing objectives, which are:
 - The prevention of crime and disorder
 - The prevention of public nuisance
 - Public safety
 - The protection of children from harm

Potential issues could include noise or disturbance from the premises, previous examples of crime and disorder associated with the premises, litter problems associated with the premises, or provision of activities not suitable for children where children could be admitted.

Any representation that is considered as frivolous or vexatious by the licensing authority will not be accepted.

Representations may be made by email and the licensing authority does not require email representations to be followed up with a hard copy. Representations should be made to:

By post:

The Licensing Unit (Premises Team)
Manchester City Council
PO Box 271
Manchester
M18 8YU

By email:

premises.licensing@manchester.gov.uk

Good practice for making a representation

- In accordance with (d) above, you should demonstrate how your representation affects the promotion of the licensing objectives.
- Provide an evidential base for the grounds of the representation, which could include written logs of problems, details of previous complaints, photographs or video evidence of the particular issues.
- Ensure as far as possible that the representation is specific to the premises.
- Consult the Licensing Policy, in particular the Local Factors and Standards, and consider their relevance in relation to the application. If you consider that an application has not addressed any particular issues in the Policy, then you should highlight these and explain your reasons why you think these issues should be addressed.
- Consider how you would like the issues to be addressed. For example, you may wish to propose additional or alternative conditions to those proposed in the application's operating schedule. Alternatively, you may wish to propose restricted hours or licensable activities.
- If you are making a representation in support of an application, explain how the proposed application would promote the licensing objectives.
- Representations will not be considered if they are considered 'frivolous' or 'vexatious' by the licensing authority. 'Frivolous' and 'vexatious' have their ordinary meanings; therefore, the licensing authority might disregard representations that are made because of a business dispute between rivals or representations that lack seriousness.

Disclosure of personal details of persons making representations

The licensing authority is required to provide the licence applicant with copies of any relevant representations received in respect of the application.

The licensing authority may consider withholding some or all of a person's personal details where that person can demonstrate they have a genuine and well-founded fear of intimidation and the circumstances justify such action.

The withholding of personal details by the licensing authority will only be taken in exceptional circumstances and any person requesting their details to be withheld will be expected to demonstrate why such action is necessary.

Where a person has concerns over an application but does not wish their personal details to be disclosed, alternative approaches include requesting a local councillor to submit a representation based on their concerns, or providing details on how the licensing objectives are likely to be undermined to a Responsible Authority, who may make representation if they consider it justifiable and appropriate to do so.

The role of councillors

Councillors are able to make their own representations in their capacity as a member of the Council. If you have concerns regarding a premises and do not wish to submit a representation yourself, an alternative is to contact your local councillor to enquire whether they will make a representation. However, it is a matter for members whether they accept and it is recommended that such requests are made in writing so that any request can be clearly demonstrated.

Additionally, if you have made a representation, you can nominate any person, including a local councillor, to represent you at the hearing to determine the application. It is your responsibility to ensure that the nominated person is available and willing to represent you. As above, any request should be made in writing so that the licensing authority can be satisfied the person has been nominated by you prior to any hearing.

Problems with existing premises

Section 18 of this Licensing Policy provides details on the enforcement approach by Manchester City Council and there are a range of enforcement measures available for agencies that can be used depending on which is most appropriate for the issues to be addressed.

Any person who is encountering problems related to a licensed premises should report the issue

Web: www.manchester.gov.uk or

Telephone: 0161 234 5004

Additionally, any person can apply in their own right for a review of a licence (see Section 3).

The licensing authority encourages licensed premises, local residents and businesses to work together in achieving the promotion of the licensing objectives and it can be constructive for local residents to approach the manager of the licensed premises in the first instance. Alternatively, any problems can just be reported to the licensing authority for them to address with the premises on your behalf.

Petitions

While there is no prescribed format for petitions and the licensing authority has no power to prescribe the form of petitions, it is suggested that individuals may find the following format useful for petitions submitted in respect of a licence application.

Each page should include:

- The premises' name and address
- The details of the application
- The prayer of the petition, i.e. what the basis of it is
- The full name and address (in print) and signature of each person supporting the petition

Appropriate weight will be given to petitions having regard to the above.

Petitions in respect of an application shall only be accepted if submitted by either a Responsible Authority or a person who has made a relevant representation, or by the applicant. Where a petition is received, it shall be considered as support for the representation (or application) it was submitted with; the licensing authority will not consider each signatory as a representation and so shall not contact each individual signatory.

Appendix 3: Mandatory conditions to be attached to a premises licence and club premises certificate

Door supervisors

Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against:

- Unauthorised access or occupation (e.g. through door supervision)
- Outbreaks of disorder
- Damage

Community premises alternative mandatory condition

Every supply of alcohol under the Premises Licence must be made or authorised by the management committee.

Exhibition of films

The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate shall be restricted in accordance with any recommendations made:

- a) By the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
- b) By the licensing authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20(3) (b) (74(3) (b) for clubs) of the Licensing Act 2003 applies to the film.

Supply of alcohol

(Note: Conditions, 1 and 2 do not apply to club premises certificates. Conditions 4 to 7 only apply to premises licences and club premises certificates that authorise the supply of alcohol for consumption on the premises)

1. No supply of alcohol may be made under this premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - (a) A holographic mark, or
 - (b) An ultraviolet feature.
4. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
 - (2) For the purposes of the condition set out in (1) above–
 - (a) “Duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “Permitted price” is the price found by applying the formula–
$$P = D + (D \times V)$$
where –
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “Relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence,
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “Valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
 - (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
 - (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
5. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
 - (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
7. The responsible person must ensure that –
 - (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 5, 6 and 7 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Club Premises Certificates

The supply of alcohol for consumption off the premises must:

- Only be made at a time when the premises are licensed to supply alcohol to members of the club for consumption on the premises
- Only be made to a member of the club in person
- Be in a sealed container

Appendix 4: Disapplication of mandatory conditions for community premises

Community premises

The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls) Order 2009 amended the 2003 Act to allow certain community premises which have, or are applying for, a Premises Licence that authorises alcohol sales to also apply to include an alternative licence condition instead of the usual Mandatory Conditions in sections 19(2) and 19(3) of the 2003 Act requiring a Designated Premises Supervisor to be specified on the Premises Licence and for all sales of alcohol to be authorised by a Personal Licence holder. Instead, the alternative condition only requires that every supply of alcohol under the Premises Licence must be made or authorised by the management committee.

Such an application may only be made if the licence holder is, or is to be, a committee or board of individuals with responsibility for the management of the premises (the 'management committee'). If such an application is successful, the effect of the alternative licence condition will be that the licence holder (i.e. the management committee) is responsible for the supervision and authorisation of all alcohol sales made pursuant to the licence. All such sales will have to be made or authorised by the licence holder. There will be no requirement for a Designated Premises Supervisor or for alcohol sales to be authorised by a Personal Licence holder.

'Community premises' are defined as premises that are or form part of a church hall, chapel hall or other similar building, or a village hall, parish hall, community hall or other similar building.

Where it is not clear whether the premises constitute a community premises, the licensing authority will approach the matter on a case-by-case basis. The main consideration in most cases will be how the premises are predominantly used. The licensing authority will need to be satisfied that the premises are genuinely made available for community benefit most of the time and accessible by a broad range of persons and sectors of the local community for purposes that include purposes beneficial to the community as a whole. The fact that premises may be available for private hire by the general public will not normally be sufficient for such premises to qualify as 'community premises'.

Management of the premises

The application form requires applicants to set out how the premises are managed, the committee structure and how the supervision of alcohol sales is to be ensured in different situations (e.g. when the hall is hired to private parties), and how responsibility for this is to be determined in individual cases and discussed and reviewed within the committee procedure in the event of any issues arising. The application form requires that the community premises submit copies of any constitution or other management documents with their applications and that they provide the names of their key officers, e.g. the Chairman, Secretary, Treasurer.

Where the management arrangements are less clear, the licensing authority may require further details to confirm that the management board or committee is properly constituted and accountable before taking a decision on whether to grant the application (subject to the views of the police). Community premises may wish to check with Manchester City Council's Licensing Unit before making an application. The management committee is strongly encouraged to notify the licensing authority if there are key changes in the committee's composition, e.g. to the Chair, Secretary, Treasurer, and to submit a copy to the Chief Officer of Police. A failure to do so may form the basis of an application to review the Premises Licence, or be taken into account as part of the consideration of such an application.

Objections by Greater Manchester Police

In exceptional circumstances the police can object to a request for inclusion of the alternative licence condition on the grounds of crime and disorder, and any Responsible Authority and/or any other person can seek reinstatement of the Mandatory Conditions through a review of the licence (as provided in section 52A of the 2003 Act). It is expected that Greater Manchester Police will consider any history of incidents at an establishment in light of the actual or proposed management arrangements, including the use of appropriate hire agreements.

If the police issue a notice seeking the refusal of the application to include the alternative licence condition, the licensing authority will hold a hearing in order to reach a decision on whether to grant the application.

Appendix 5: Delegation of functions

In the interests of speed, efficiency and cost-effectiveness, licensing functions are carried out as shown in the table below.

Matter to be dealt with	Licensing Committee	Licensing Subcommittee	Officers
Application for Personal Licence		In cases of police objection	If no objection made
Application for Premises Licence/Club Premises Certificate		If relevant representation made	If no objection made
Application for provisional statement		If relevant representation made	If no objection made
Application to vary Premises Licence/Club Premises Certificate		If relevant representation made	If no objection made
Application to vary Designated Premises Supervisor		In cases of police objection	All other cases
Request to be removed as Designated Premises Supervisor			All cases
Application for transfer of Premises Licence		In cases of police objection	All other cases
Applications for interim authorities		In cases of police objection	All other cases
Application to review Premises Licence/Club Premises Certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc			All cases

Matter to be dealt with	Licensing Committee	Licensing Subcommittee	Officers
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a Temporary Event Notice		All cases	
Determination of a minor variation			Principal Licensing Officer in conjunction with Chair of Licensing Committee
Substitution of alternative mandatory condition		In cases of police objection	All other cases
Attaching of interim conditions following a Summary Review		All cases	

Appendix 6: Glossary

This section explains the key terms used in the policy statement. These terms are all defined in the Licensing Act 2003 ('the Act') and Guidance.

This glossary is only intended to clarify the general meaning of each of the terms. The list is not exhaustive nor are the definitions legally comprehensive.

ACPO	Association of Chief Police Officers (see www.acpo.police.uk)
Applicant	A person making an application for a Premises Licence or Club Premises Certificate
Application to vary a Premises Licence	Where a Premises Licence holder wishes to amend the licence the Act allows, in most cases, for an application to vary to be made rather than requiring an application for a new Premises Licence
ASB	Antisocial behaviour
BBFC	British Board of Film Classification: the national body responsible for the classification of cinema films and videos
BBPA	British Beer and Pub Association (see www.beerandpub.com)
CCTV	Closed Circuit Television
Club Premises Certificate	Club Premises Certificates are authorisations needed by clubs to carry on certain activities (e.g. selling alcohol to members and their guests). They may be granted to clubs that meet the special requirements set out in Part 4 of the 2003 Act (regarding membership, that the club is established and conducted in good faith and special conditions where the club supplies alcohol to its members). These commonly include ex-services clubs such as the Royal British Legion, Conservative, Labour and Liberal clubs, working men's clubs, miners' welfare institutions and sports and social clubs. The application process is similar to that for a Premises Licence; for example, there are similar provisions about advertising applications and making representations. However, a key difference is that, unlike a Premises Licence, there is no requirement to identify a Designated Premises Supervisor to allow the supply of alcohol under a club Premises Certificate.

Conditions	Conditions include any limitations or restrictions attached to a licence or certificate and essentially they are the steps or actions the holder of the Premises Licence or the Club Premises Certificate will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question. The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it has been satisfied at a hearing that is appropriate and proportionate to impose conditions. It may then only impose conditions that are appropriate to promote one or more of the four licensing objectives. Such conditions must also be expressed in unequivocal and unambiguous terms to avoid legal dispute.
Conditions consistent with the operating schedule	Conditions include any limitations or restrictions attached to a licence or certificate and essentially they are the steps or actions the holder of the Premises Licence or the Club Premises Certificate will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question.
Councillor	An elected member of the Council
Designated Premises Supervisor	The Designated Premises Supervisor (DPS) is a Personal Licence holder specified in the Premises Licence. All premises licensed to sell alcohol will have an identified Personal Licence holder, known as the DPS. The purpose of the DPS is to ensure there is always one specified individual who can be identified as a person in a position of authority on the premises.
Designated Public Place Order (DPPO) / Public Space Protection Order (PSPO)	Designated Public Place Orders are used by local authorities to deal with the problems of antisocial alcohol drinking in public places. Once a DPPO is in place the police can use their confiscation powers to enforce the restriction. It is not an offence to consume alcohol within a designated area, but failure to comply with an officer's requests to stop drinking and surrender alcohol without reasonable excuse is. This power has been replaced by Public Spaces Protection Orders (PSPO's), which were brought in under the Anti-social Behaviour, Crime and Policing Act 2014. PSPO's specify an area where activities are taking place that are or may likely be detrimental to the local community's quality of life. PSPO's impose conditions or restrictions on people using that area.
Door supervisors	Door supervisors are responsible for the safety and security of customers and staff in venues such as pubs, bars, nightclubs and other licensed premises or at public events.
DPS	Designated Premises Supervisor
Family-friendly venues	Places that people with children can attend. These need not necessarily be places specifically aimed at children but could be premises appealing to adults that also provide for children.

Guidance	Section 182 of the Licensing Act 2003 provides that the Secretary of State must issue, and from time to time may revise, guidance to licensing authorities on the discharge of their functions under the 2003 Act. The Guidance is provided for licensing authorities carrying out their functions. It also provides information for magistrates hearing appeals against licensing decisions and has been made widely available for the benefit of operators of licensed premises, their legal advisers and the general public. It is a key mechanism for promoting best practice, ensuring consistent application of licensing powers across the country and for promoting fairness, equal treatment and proportionality.
In the vicinity	Whether somebody lives or works 'in the vicinity' of a premises is a matter that will be decided by the relevant licensing authority. The word has no particular technical meaning and in licensing matters should be interpreted as an ordinary English word and in a commonsense fashion. In doing this, licensing authorities might take into account whether the party is likely to be affected by any disorder or disturbance occurring or potentially occurring at those premises.
Irresponsible promotions	An irresponsible promotion is one that encourages the sale or supply of alcohol for consumption on the premises and carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children.
Late-night refreshment	The provision of late-night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11pm and 5am, or the supply of hot food or hot drink to anyone between 11pm and 5am, on or from premises to which the public has access. However, there are a number of exemptions in Schedule 2 (e.g. vending machines in certain circumstances, where the hot food or hot drink is supplied free of charge, or where it is supplied by a registered charity).
Licensable activities	Licensable activities are the sale of alcohol, the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club, the provision of regulated entertainment and the provision of late-night refreshment. If you carry on any of these activities, you are likely to need an authorisation (a Premises Licence, a Club Premises Certificate or a Temporary Event Notice).
Licensee	Generally refers to the holder of a Premises Licence but also includes in this policy an applicant for a Premises Licence or applicant for a provisional statement unless otherwise stated.

Licensing Act 2003	<p>The Licensing Act 2003 became law on 24 November 2005.</p> <p>The Licensing Act 2003 (the Act) introduced a single licence scheme for licensing premises that:</p> <ul style="list-style-type: none">• Supply alcohol• Provide regulated entertainment• Provide late-night refreshment.
Licensing authority	<p>This refers to Manchester City Council as the body responsible for licensing under the Act.</p>
Licensing objectives	<p>Licensing authorities must carry out their functions with a view to promoting four licensing objectives. These are:</p> <ul style="list-style-type: none">• The prevention of crime and disorder• Public safety• The prevention of public nuisance• The protection of children from harm. <p>Licensing authorities must decide applications in connection with Premises Licences and Club Premises Certificates on the basis of the steps it considers appropriate to promote these objectives. Each objective is of equal importance.</p>
Licensing Policy	<p>See Statement of Licensing Policy</p>
Licensing register	<p>Licensing authorities are required to keep a register containing a record of all Premises Licences, Club Premises Certificates and Personal Licences issued by it and Temporary Event Notices received by it, as well as various other matters set out in Schedule 3 to the 2003 Act. Full details of the information that must be contained in the licensing authority register can be found on the DCMS website. You can inspect the licensing authority's register of licences during office hours without charge.</p>
Licensing subcommittee	<p>Full licensing committees delegate a number of their functions to one or more 'licensing subcommittees'. These are made up of three members of the full licensing committee.</p>
Live music	<p>Following the implementation of the Live Music Act 2012, live music is not licensable as follows:</p> <ol style="list-style-type: none">1. Alcohol on-licensed premises <p>Amplified live music between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises</p> <ol style="list-style-type: none">2. Workplaces <p>Amplified live music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late-night refreshment)</p>

3. All Venues

Unamplified live music between 8am and 11pm

Conditions on existing licences

Where a premises continues to operate licensable activities (such as the sale of alcohol), any conditions relating to the above live music activities are suspended unless they have been added following a licence review.

Mandatory Conditions

The 2003 Act provides for Mandatory Conditions to be included in every licence and/or club Premises Certificate. See Mandatory condition section for conditions.

Minor variation

Small variations that will not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. Variations to:

- extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 11pm and 7am; or
- increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are excluded from the minor variations process and must be treated as full variations in all cases.

Nitenet

Radio communication network linking licensed premises that are operated in the city centre

Operating schedule

The operating schedule is the part of the application form for a Premises Licence or Club Premises Certificate where the applicant sets out various details about how they propose to operate the premises when carrying on licensable activities. Among other things, it must include a description of the proposed licensable activities, proposed opening hours and times for licensable activities, proposed duration of the licence or certificate, and a statement of the steps the applicant proposes to take to promote the licensing objectives (for example, arrangements for door security to prevent crime and disorder). The significance of the operating schedule is that if the application for the Premises Licence or Club Premises Certificate is granted, it will be incorporated into the licence or certificate itself and will set out the permitted activities and the limitations on them.

Personal Licence

Personal Licences authorise an individual to supply alcohol, or authorise the supply of alcohol in accordance with a Premises Licence or a Temporary Event Notice. Not everybody who works in any licensed premises will need to hold a Personal Licence; however, all premises licensed to sell alcohol will have an identified Personal Licence holder, known as the Designated Premises Supervisor. In addition, all supplies of alcohol under a Premises Licence must be made or authorised by a person who holds a Personal Licence.

Premises Licence	A Premises Licence authorises the use of premises for 'licensable activities'.
Provisional statement	This 'statement' can be applied for where premises are being or about to be constructed for licensable activities. This will give the owner some reassurance about whether a licence would be granted if the premises were built as set out in the application for the provisional statement. However, a provisional statement is not an authorisation, so the relevant permission must still be obtained in order to carry on licensable activities.
Qualifying clubs	Qualifying clubs are those clubs that meet the special requirements set out in Part 4 of the 2003 Act (regarding membership, that the club is established and conducted in good faith, and special conditions where the club supplies alcohol to its members). These are clubs where members join together for a particular social, sporting or political purpose and then combine to purchase alcohol in bulk for its members (see examples under 'Club Premises Certificate' above). Such clubs carry on activities from premises to which public access is restricted and where alcohol is supplied other than for profit.
Regulated entertainment	<p>Generally speaking, the provision of regulated entertainment means the commercial or public provision of entertainment facilities or the commercial or public provision of any of the following sorts of entertainment:</p> <ul style="list-style-type: none">• The performance of a play• An exhibition of a film• An indoor sporting event• Boxing or wrestling entertainment• A performance of live music• Any playing of recorded music• A performance of dance• Entertainment of a similar description to live music, recorded music or dance. <p>Schedule 1 of the Licensing Act 2003 contains further specific rules about where the definition of 'regulated entertainment' applies. These rules concern the intended audience and whether the regulated entertainment is for profit.</p>
Representation	Submission made to the licensing authority in respect of an application. Representations can be in support or against an application

Relevant representation

These are written representations about the likely effect of the grant of an application for or variation to a Premises Licence or Club Premises Certificate, on the promotion of the licensing objectives. Any persons, such as local residents, or businesses and Responsible Authorities, such as environmental health, can make representations. The term 'relevant' refers to representations that are considered 'valid' by the licensing authority. The representations must be made within 28 days after the day on which the application is given and if made by a person other than a Responsible Authority must be made seriously (i.e. must not be frivolous or vexatious). Representations can also be made in relation to an application for the review of a Premises Licence or Club Premises Certificate.

Responsible Authorities

Responsible Authorities include public bodies that must be notified of applications and are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a Premises Licence or Club Premises Certificate. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives. Responsible Authorities include the following for the area in which the premises are situated:

- The licensing authority
- The chief officer of police
- The fire authority
- The planning authority
- The health authority
- The health and safety authority
- The environmental health authority
- The body recognised as being responsible for protection of children from harm
- Inspectors of Weights and Measures (trading standards officers)
- And in respect of vessels only –
 - i) The Environment Agency
 - ii) The British Waterways Board
 - iii) The Maritime and Coastguard Agency, and if different from these:
 - iv) The relevant navigation authority/authorities for the place(s) where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is used for licensable activities.

Review

Interested parties including local residents can also request a review of a particular Premises Licence when problems occur that are related to the licensing objectives. Following the review the licensing authority can consider a range of responses such as suspending or revoking the licences, excluding certain licensable activities or changing conditions attached to a licence. However, it can only take these actions where they are appropriate to address the problem and promote one or more of the four licensing objectives.

Risk assessment

The overall process of identifying all the risks to and from an activity

and assessing the potential impact of each risk.

**Statement of
licensing policy**

Every licensing authority will publish a 'statement of licensing policy' every five years. This will set out the general approach the licensing authority will take when making licensing decisions.

**Temporary Event
Notice (TEN)**

This is the notice that organisers of small-scale temporary events must give to make it a 'permitted temporary activity'. This notice must be in a prescribed form. There are certain limitations imposed on this system. See section 14.

Variation

See Application to vary a Premises Licence

Vertical drinking

the sale and consumption of alcohol at premises with little or no seating for patrons.


Appendix 7: Map of the Fallowfield/Wilmslow Road area to which a Special Policy applies



Appendix 8: Map of the Withington Stress area to which a Special Policy applies



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**Exploring area-based vulnerability
to gambling-related harm:
Who is vulnerable?
Findings from a quick scoping review**

Heather Wardle, Gambling and Place Research Hub

Geofutures

13th July 2015

Supported by:



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Executive Summary

Background

In Great Britain, there is a changing gambling policy and regulatory environment which has increased focus on risk. Local area risk assessments have been introduced into the Gambling Commission's updated Licensing Conditions and Codes of Practice with understanding local risk, and taking appropriate steps to mitigate risk, highlighted as a key concern. Policy is also becoming more focused on understanding and mitigating gambling-related harm more broadly, rather than focusing on problem gambling alone. Finally, in the Gambling Act 2005, children and vulnerable people were singled out for special regulatory attention. However, who is vulnerable, why and under what circumstances, has been subject to little investigation.

Aims of this study

This study aimed to explore who may be vulnerable to gambling-related harm and to assess the strength of the evidence base supporting this.

Methods

Semi-structured interviews were held with a range of stakeholders (academics, policy makers, industry, treatment providers and legal professionals) to explore understanding of terms like gambling-related harm and who they believed may be vulnerable to harm. From these interviews, a list of those deemed more likely to be vulnerable to harm was created. Quick scoping reviews of research literature then examined the evidence base for each group/characteristic mentioned.

Results

There was a broad consensus among stakeholders that gambling-related harm meant adverse consequences arising from someone's gambling engagement that could affect the individual, their family, friends, broader social network or community. It was felt that harm could be short-lived or experienced over a longer time frame and that you did not have to be a "problem

gambler” to experience harm. However, the experience of harm was viewed as subjective, varying based on the circumstances of the individual. This makes predicting who will experience harm challenging. As such, a probabilistic approach was recommended, thinking about who is **more likely** to experience harm given what we know about them.

Many stakeholders felt that anyone could be vulnerable to gambling-related harm and that vulnerability was also subjective as it depended on a range of other circumstances. However, considering who may be more susceptible to harm was seen as useful: youth, students, those with mental health problems, substance use/misuse issues, learning difficulties, certain ethnic groups, migrants, homeless, those with constrained economic circumstances or living in deprived areas, prisoners, older people, problem gamblers, those with personality/cognitive impairments and women were identified as those potentially vulnerable to harm.

Looking at the research literature, there is good evidence to support youth, those with substance abuse/misuse/excessive alcohol consumption, poorer mental health, those living in deprived areas, from certain ethnic groups, those with low IQs, personality/cognitive impairments and those who are unemployed as potentially being more vulnerable to harm.

There is a smaller but emerging evidence base suggesting that homeless people, those experiencing financial difficulties and debt, prisoners and younger males with learning difficulties/disabilities may also be vulnerable groups.

Patterns of evidence relating to students, educational qualifications and low income individuals were inconsistent, though the latter may serve as a proxy for financial difficulties. Evidence relating to migrants was sparse, though the rationale for viewing this group as vulnerable was plausible.

Implications

When thinking about who may be vulnerable to gambling-related harm, a probabilistic approach needs to be taken. The personal circumstances of each individual are not known. Therefore, broader generalisations have to be made. The groups listed above do not mean that everyone with those characteristics **will** experience harm rather than based on these characteristics there is an increased risk that they **may** experience harm. This is the central tenet of a risk-based approach to policy and regulation.

However, we should not think about groups of vulnerable people as silos. There are likely to be multiple and complex risk factors for harm, with some people having multiple characteristics of

potential vulnerability. Other public health areas focus on multiple risk factors; gambling should do the same.

Limitations

This review is constrained by existing evidence. A solid evidential base looking at broader gambling-related harms has yet to be developed. Therefore, evidence from the scoping review mainly relies on studies looking at problem and at-risk gambling. This is not the same as gambling-related harm. Therefore some groups or themes may have been missed. The aim was to assess the evidence base that currently exists and we are constrained by this, though given the paucity of evidence in some areas we are confident we included most relevant British-based studies in our review.

1 Introduction

Overview of project

This project aims to explore area-based vulnerability to gambling-related harm. Gambling behaviour and who experiences harm from gambling varies among different types of people. This includes characteristics relating to the person, such as their age, gender or intellectual functioning, those relating to personal circumstances, such as employment or income, those relating to where people live, such as deprived areas, and the political landscape in which gambling is provided and regulated.

Gambling premises in Great Britain are unequally distributed. They tend to be found in more urban areas, town centre locations or around coastal areas. Gambling venues also cluster in certain areas within towns and cities. However, there are significant local variations in the distribution of gambling premises and it should be considered as a local issue.

The focus on vulnerable persons and harm comes directly from the licensing objectives set out in the Gambling Act, 2005 (the Act), which states that children and vulnerable people should be protected from being harmed or exploited by gambling. To date, there has been little investigation about who may be vulnerable or why. Information about the characteristics of who is more or less vulnerable to gambling-related harm has only been considered in very general terms using evidence from large-scale national surveys, such as the British Gambling Prevalence Survey (BGPS). How vulnerability and harm may vary at a local level has not been explored. This project aims to help fill this gap. The aims of this project are as follows:

- to explore and document the range of characteristics that suggest someone is vulnerable to harm from gambling,
- to investigate how these characteristics can be measured at a local level, using a range of different data, and
- to develop a local risk index model showing areas where those who may be more vulnerable to harm are located.

Working with Westminster and Manchester City Councils, we are exploring models of area-based vulnerability to gambling-related harm and aim to map our results visually, so that areas of potential risk are highlighted. Our intention is that these results become a tool for both Local/Licensing Authorities (LA) and industry when making decisions about the location of gambling venues, helping them to think through the specific needs of local communities and enabling them to work together to develop plans to protect vulnerable people.

Policy context

The Gambling Act changed the way in which gambling was licensed and regulated in Great Britain. These changes included handing over responsibility for the licensing of gambling premises to LAs. To date, LAs remain responsible for issuing licenses for gambling premises, in accordance with the terms set by the Act. This includes the following three licensing objectives:

- (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, and
- (c) protecting children and other vulnerable persons from being harmed or exploited by gambling.

The advice contained within the Act is that LAs should 'aim to permit' premise licenses so long as applications are reasonably consistent with these three licensing objectives.

In the years since the Act was implemented, there have been some noticeable shifts in how gambling premises are distributed. A major change is that many gambling premises have moved from back street to high street locations and there has been rising concern about how some premises are 'clustering' in certain areas (Harman, 2011).

Recent research has shown that whilst there is some evidence of clustering, the patterns are highly localised and warrant further investigation (Astbury & Thurstain-Goodwin, 2015). More recently, industry regulator the Gambling Commission (GC) has stated that gambling industry operators should (from April 2016) conduct local risk assessments for premises to demonstrate that they understand local issues and to show what measures they propose to introduce to mitigate against this risk (See Box 1).

Box 1: The new provisions for local risk assessment in the LCCP, 2015

Social responsibility code provision 10.1.1

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.

This provision comes into force on 6 April 2016

1. Licensees must assess the local risks to the licensing objectives posed by the provisions of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. IN making risk assessments, licenses 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 into 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.

The introduction of local risk assessments into the Licensing Conditions and Codes of Practice (LCCP) reflects a broader policy movement which encourages LAs, the regulator and the industry to work in partnership to address local issues and concerns. This form of partnership working was enshrined within the Local Government Association's and the Association of British Bookmakers' Framework for Local Partnerships on Betting Shops.

This framework recognised there are local concerns about betting shops and their impact. It drew on practice from alcohol licensing and local partnerships between the alcohol trade and communities to suggest a range of ways that industry, LAs, community safety teams, and the police could work together to address concerns. Suggestions included setting up local Betwatch schemes, as has been done in Ealing, or creating other bespoke solutions to deal with issues, like the responsible gambling partnership set up in Medway.

This movement towards increased partnership working is arguably underpinned by the GC's adoption of a risk-based approach to regulation, ensuring that resources are spent where they can be most effective and are needed most. This risk-based approach was emphasised in a recent speech to stakeholders where the GC stated that they wanted to better understand risk and have a proportionate response to risk, which included looking at future risks and thinking about risk in a probabilistic way:

“Risk is not necessarily related to an event that has happened. Risk is related to the probability of an event happening and the likely impact of that event – in this case on licensing objectives” (GC, 2015)

With the change in responsibility for premises licensing introduced by the Act, all LAs were required to create a Statement of Licensing Policy. This sets out the principles that LAs propose to use in exercising their licensing functions. The statement has to be commensurate with the objectives of the Act but does allow some flexibility for LAs to set out the general principles they will draw on when reviewing applications, particularly relating to issues of location. All premise applications received should then be treated in accordance with these principles and this policy statement. Statements of Licensing Policy are due to be reviewed and refined in 2015 and updated to take effect from January 2016. Given the new focus on localised-risk assessment and partnership working in broader policy and regulatory circles, it is likely that revised Statements of Licensing Policy will incorporate these tenets.

A final important policy change is the devolvement of public health to LAs. The Health and Social Care Act, 2012 gave responsibility for health improvement to LAs. This gave each LA a new duty to take appropriate steps to improve the health of people in its area. Under this provision, new Directors of Public Health were appointed and units created to support the new public health functions of LAs. The intention was for LAs to have freedom in how they chose to improve their population’s health and it was hoped that this would create a new focus on improving health and reducing inequalities.

These changes are important since gambling is often considered a public health issue. The Responsible Gambling Strategy Board (RGSB), the body responsible for providing advice to the GC and government about gambling, advocates that gambling is considered within a public health framework. Other jurisdictions, like New Zealand, have gone further and defined gambling a public health consideration with policy responsibility residing within its Department of Health.

In Great Britain, policy responsibility for gambling continues to be held by the Department for Culture, Media and Sport. However, devolvement of responsibility for public health to LAs may mean that an increasing health focus is given to local gambling policy. This is most likely to occur in relation to the third licensing objective of the Act, which states that vulnerable people should be protected from harm. Who ‘vulnerable people’ are or the ways in which they may be vulnerable is not defined by the Act, though the GC states that for regulatory purposes this is likely to include:

“people 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 relating to alcohol or drugs.” (GC, 2012)

There is clear overlap with people of interest to public health policy makers and practitioners, namely those with mental health problems, other health issues and substance misuse problems. As the public health function within LAs matures, it is likely that gambling issues and protection of the vulnerable may increasingly fall within the remit of public health specialists. However, this broader policy shift has not occurred to date and it is noticeable that the GC’s consultation document on LAs revised Statements of Licensing Policy did not include any reference to public health.

It is against this policy and regulatory background that this project has been commissioned. Our aim is to explore what area-based vulnerability to harm might look like and support these policy changes. This will be done using Westminster and Manchester City Councils as case studies to demonstrate what a local area risk profile might look like when those vulnerable to gambling harm are identified, mapped and results displayed visually.

Should this project be successful, it is hoped that the methods and outputs could be used by other LAs and built into local area profiles, risk assessments and the up-coming revisions to Statements of Licensing Policy.

Phase 1 report

This report focuses on the first of our research objectives: to explore and document the range of characteristics that suggest someone may be vulnerable to harm. The intention is that this report helps to highlight the range of issues that LAs may wish to consider when developing their own local area profiles and is a useful tool for industry operators when thinking about local area risk assessment.

To create a localised risk index of who is vulnerable to harm, we first need to understand and document who and what ‘vulnerable’ means in this context.¹ Other terms used in the Act and

¹ This report primarily focuses on characteristics of vulnerability that are more likely to be visible at a local area level and thus can be built into local area profiles. The field of gambling studies has been dominated by contributions from psychologists and much of the research evidence available to date focuses on individual characteristics such as impulsivity, cognitive distortions, erroneous processing of information. Whilst these features are likely to contribute to vulnerability, it is broadly accepted that personal circumstances, social and economic contexts, the broader environment of the individual and how these interact is of paramount importance. Given the broader aim of this project to help develop local area risk indices, primary attention is given to personal and contextual features of vulnerability as these are features which LAs and industry alike can realistically use in local area risk profiles.

by policy makers, such as harm from gambling or gambling-related harm are also considered. The aim of this first project phase was to assess how vulnerable people and gambling harms are, or should be, defined and to briefly review existing evidence base relating to vulnerable people. To do this, two different methods were used:

- first, using data collected from interviews with key stakeholders, different understanding of terms like gambling-related harm and vulnerable people were explored. Results from these interviews are presented in Chapter 2,
- second, drawing on findings from stakeholder interviews, a list of characteristics of those believed to be vulnerable to harm from gambling was developed. Each characteristic was then reviewed against existing research evidence to assess the strength of the association. Results are presented in Chapter 3.

Finally, key themes from both are presented in Chapter 4. These themes will inform the development of our subsequent local area risk models.

Overview of methodology

As previously noted, this report uses two methodologies to examine the relationship between gambling and vulnerable persons. These are briefly described here but more detail is provided in Appendices B-D.

The first method generated insight from semi-structured consultation interviews with key stakeholders. Stakeholders included academics, policy makers, industry, treatment providers and legal professionals. This broad range of stakeholder types was included to ensure that views were gathered from those with a range of different expertise, backgrounds and viewpoints. For example, the academic group included those from a variety of different academic disciplines. The industry group included those from various different sectors and treatment providers with different approaches to treatment and varying levels of experience were interviewed. Ensuring that a broad spectrum of stakeholders were included in the interviews meant we could better understand the diversity of opinions and also assess points of consensus. Semi-structured interviews collected stakeholders' views about the following:

- understanding and definition of gambling-related harm,
- exploring who might be vulnerable to gambling-related harm, why and how has this may have changed, and
- the kinds of evidence that are used when making gambling policy/licensing decisions.

Interviews were conducted either one to one or at a specially convened workshop (for more detail about the interviews and a copy of topic guide used, see Appendices C & D).

The interviews specifically explored who each stakeholder felt might be vulnerable to harm and why. There was a dual purpose for these interviews. The first purpose was to explore how key stakeholders involved in the gambling industry and/or in creating or responding to policy and/or working with those with problems view some of the key aspects of the Gambling Act. The basis on which these views were held was also explored. For example, this could be through first-hand experience, through knowledge gained from research or policy literature or simply be a personally held belief (shaped through a variety of influences). Understanding these views is important as it sheds light on how policy is being understood, and reflected, in everyday practice by important actors who are responsible for shaping how the public interacts with gambling more generally. This makes stakeholders' ideas and views of vulnerability highly salient in better understanding current ideas about vulnerability and harm in everyday life.

The second purpose was to assess how broadly held beliefs about groups who may be vulnerable compare with empirical evidence on the topic. Received wisdom can sometimes be erroneous and it is important to explore differences between the perception of vulnerability, however broadly held, and current evidence. To do this, a list was generated of people who were viewed as vulnerable or characteristics of groups which may make them vulnerable to harm. The next step was to take this list and conduct a quick scoping review (QSR) for each group/characteristic to assess what research evidence currently says about this relationship.

QSRs are a methodology recommended by the Government Social Research Office. They are used to quickly determine the range of studies that are available on a specific topic and produce a broad 'map' of the existing literature. As they are conducted under short time frames, they are typically constrained by (a) search strategy (using fewer bibliographic sources, availability of sources, typically focusing on those that are available electronically) and/or (b) question, focusing on a limited range of issues. All of these constraints are applicable to this study; see Appendix D for further details.

The remainder of this report documents findings from both of these stages, focusing on broad themes and definitions first (Chapter 2) followed by evidence from the QSRs relating to vulnerable people (Chapter 3). Throughout these chapters, quotes from stakeholders illustrate key points. The group to which each stakeholder belongs is given at the end of the quote. The following codes are used: T = Treatment stakeholders; I = Industry stakeholders; A = Academic stakeholders; P = Policy stakeholders; L = Legal stakeholders.²

² For some quotes, the stakeholder group is not given as this could potentially identify the contributing interviewee.

2 Defining terms

This chapter provides an overview of how different terms often used in gambling policy are defined. Contextual information relating to current policy is given alongside views from each stakeholders and, where appropriate, related research evidence.

Gambling-related harm

Policy perspectives

Gambling-related harm is a term that is being increasingly used in British gambling policy circles. The Gambling Act enshrined harm as a key policy concept when it stated that the third licensing objective was for children and other vulnerable persons to be protected from harm or exploitation by gambling. However, the Act did not define what harm meant or specify the types of harms that were related to gambling. This can only be inferred through other definitions within the Act. For example, the Act defines a responsible authority (with respect to premises) as one:

“which has functions by virtue of an enactment in respect of minimising or preventing the risk of pollution of the environment or of harm to human health in an area in which the premises are wholly or partly situated”

or, an authorised person as:

“an officer of an authority other than a licensing authority is an authorised person for a purpose relating to premises if— (a) the authority has statutory functions, for an area in which the premises are wholly or partly situated, in relation to minimising or preventing the risk of pollution of the environment or of harm to human health.”

Here, provisions are made that Responsible Authorities can, under certain circumstances, include others bodies or individuals who have formal responsibility for minimising or preventing the risk of harm to human health. This is the only place in the Act where harm is qualified in any way. Notably, the focus is on harm to the health of the public.

The Gambling Review Report (known as the Budd Report), which preceded the Act, also considered harm and grappled with the problem of the extent to which you restrict the liberties of the many to prevent harm to others. In response to this central dilemma, the Budd report noted the widely held view that:

“the state should respect the right of the individual to behave as he or she wishes, provided there is no harm to others. That view (the “liberal view”) is held with varying degrees of robustness by the population of this country (and by members of the Review Body).” (DCMS, 2001)

The difficulty with this statement is that, at the time of writing, there was limited evidence about the range of harms that ‘others’ experience from gambling. Yet again, harm was not defined, though throughout the report there was reference to harms to the individual (psychological and financial harms of excessive engagement), harms to families and harms to communities. This uncertainty, and lack of evidence base, was explicitly acknowledged in the Budd Report which stated that:

“Since we are uncertain about the effects on individuals and on society as a whole of changes in regulation we suggest fairly cautious moves in the first place, with scope for further deregulation in due course if the results seem acceptable. We also recognise that some localities might choose to limit the number and scale of gambling establishments because of their effects, in the widest sense, on the local community. That seems to us to be a legitimate task of local government.” (DCMS, 2001)

In short, in major policy reviews and legislation, the concept of harm is important. It is given primary importance in the Gambling Act and is a key tenet of the liberal approach to balancing protection and individual freedoms. However, what harm means, to whom and at what level behaviours and consequences are considered harmful was not articulated.

Since then, a number of attempts both nationally and internationally have been made to address this gap. The term gambling-related harm seems to have developed traction internationally from the mid 2000’s, though the broader concept of harm and attempts to develop indicators of harm has antecedents in the mid 1990’s (see Box 2). This movement towards focusing on harm seems to have developed alongside recognition that gambling behaviour should be considered in its broader context, and that it should be considered from a public health perspective (Korn & Shaffer, 1999; Korn, 2000). In academic circles, one of the earliest uses of the term was by Korn (2000) who argued that expanding gambling opportunities in Canada should be viewed through a public health lens so to balance the potential risks and benefits.

In Britain, the term gambling-related harm was adopted by the Responsible Gambling Strategy Board (RGSB) in 2009. The RGSB is the body responsible for providing strategic policy advice about gambling to the regulator (the GC) and the Department of Culture, Media and Sport. In their initial strategy, the RGSB made gambling-related harm as key concept stating that:

“We aim to support international, leading research about the treatment for and prevention of gambling-related harm. By ‘gambling-related harm’ we mean the adverse financial, personal and social consequences to players, their families and wider social networks that can be caused by uncontrolled gambling.” (RGSB, 2009)

The decision to adopt this term was based on the recognition that harm extends beyond the individual gambler but also that research strategy should consider:

“the shorter-term harms brought about by short-term bouts of intensive gambling, which may require a different preventative approach...the Board has therefore agreed to use a broader definition of ‘gambling-related harm’ in setting its priorities.” (RGSB, 2009)

This was, to our knowledge, the first time that gambling-related harm was defined in a British policy context and the first time this concept had been highlighted as a focus for research strategy. In 2010, the RGSB expanded this point, stating that there was a pressing need to recognise gambling-related harm as a public health issue:

“Public health discourse differs from clinical/psychological approaches in its emphasis on the social, economic, and cultural determinants of good health and ill-health. As such, it seeks to avoid a pathologising model of the sick individual acting and experiencing harm in isolation.”(RGSB, 2010)

Since then, the term gambling-related harm has gained increasing traction in British research and policy. Its increasing importance can be seen within the GC’s revised Licensing Conditions and Codes of Practice (LCCP), where industry are now required to:

“make an annual financial contribution to one or more organisation(s) which between them research into the prevention and treatment of gambling-related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling” (GC, 2015)

In previous versions of the LCCP (2013) provisions largely referred to preventing and treating problem gamblers (in fact, in the 2013 LCCP, the term ‘harm’ did not appear at all). The new emphasis on gambling-related harm in the revised 2015 LCCP is symptomatic of a broader step change in policy and regulatory circles towards considering wider harms from gambling rather than problem individuals.

Box 2: “Harmful gambling” taken from the Australian Productivity Commission 1999: harm is defined by whether someone met any of the following conditions in the last year:

- gambling has made life a lot less enjoyable and feel they cannot control gambling, although they want to;
- have money arguments about gambling;
- borrow to gamble while not paying borrowings back;
- lose time from work or study due to gambling;
- feel guilty about gambling;
- borrow from loan sharks to gamble;
- fraudulently write cheques to gamble;
- believe they have a current problem;
- always spend more than they can afford;
- have often suffered from depression due to gambling;
- have often experienced adverse effects on their job due to gambling;
- have changed jobs in the last year due to gambling;
- have been sacked in the last year due to gambling;
- not had enough time to look after family’s interests due to gambling;
- have become bankrupt due to gambling;
- have experienced a relationship breakdown due to gambling;
- have obtained money illegally to gamble;
- have been in trouble with police over gambling;
- have appeared in court on a gambling-related matter;
- have seriously thought about suicide because of gambling;
- have wanted help for gambling problems; or
- have tried to get help for gambling problems in the last year.

Stakeholder perspectives

Given the emerging policy importance of gambling-related harm as a concept, all stakeholders interviewed were asked a range of questions to explore what this term meant to them, if and how they felt it differed from problem gambling and to articulate the range of harms that they felt could be associated with gambling. These findings are summarised below.

Defining harm

There was broad consistency between stakeholders in defining gambling-related harm and a number of themes were evident. The first theme was the belief that harm that could be experienced by individuals but also those around them, their families, friends and communities. Harm was viewed as having a “*ripple down*” [I] effect

that extends out from the individual “*like a spider’s web*” [T].

There was recognition among some that gambling-related harm had been purposively positioned as a concept to move away from conceptions of the ‘ill’ individual towards thinking about the broader impacts gambling can have:

“it’s the importance of moving debate on from seeing harm as a systemic problem that might be classed as an addiction, put down to that person, whereas there may be something about gambling, the product or the environment, that causes people not to play properly or causes them to be harmed.” [P]

A second theme was the view that harm related to spending too much time or too much money gambling which had an adverse effect on both the individual and/or others. In the words of one

stakeholder: *“it’s about a negative consequence experience that can be caused or exacerbated by gambling”* [P]. Related to this, some noted that this made quantifying and operationalising definitions of harm difficult because what counted as ‘too much’ was dependent on the circumstances of the individual. For these stakeholders, gambling-related harm was viewed as subjective:

“it’s the difficulty of knowing the context of people’s lives in terms of qualifying harm; how do you know what harm looks like for an individual?” [I]

A final theme was that gambling-related harm was thought to be a broad-based measure. It was typically viewed as including problem and pathological gamblers but extended much further beyond narrow and clinical concepts of problem gambling. For some this meant looking at the harms that could be experienced occasionally and sporadically, for others this meant viewing gambling-related harm as a concept broader than problematic gambling:

“anyone who spent too much last night could consider themselves to be harmed by gambling, though that doesn’t make them a serious problem gambler or someone who can’t ever gamble again. Harm is a very broad brush stroke term...You can have different degrees of harm.” [I]

Harm was described as being *“more scattergun”* [P] and not necessarily progressive.

In general, the perception was that harm extends beyond the individual to families and communities in terms of a range of negative consequences that can arise from gambling. It was also seen as nebulous concept where harm could be sporadic, temporary, severe and subjective.

Who experiences harm

As noted above, there was a broad consensus that both the individual and those in their broader social network could experience harm; the belief was that you did not have to be a gambler yourself to experience harm from gambling. The individual gambler was highlighted by most as someone who experiences harm. However, family, partners and children were also cited as those who could also experience harm as a consequence of other people’s gambling behaviour, especially when it came to financial harm and debts. This was seen as something that rarely just affects the individual, *“harm echoes through and affects the family”* [L]. It was, however, felt that the gambler themselves might not be aware of the harm their gambling caused to others. As one stakeholder argued, a gambler may not realise that their *“partner is at*

home trying to pay the bills, wondering where the money has gone" [P] or what the negative consequences are for their children because:

"children are affected by the instability and uncertainty it creates. Not knowing what parent is doing, not knowing if they are going to be present." [A]

Under these circumstances, it was thought that harm may be more acutely felt by the extended family than the gambler themselves:

"harm may be more felt by those connected to the gambler as the gambler may be in denial.. and doesn't realise the harm, the anxiety to other family members... the family members are not getting any benefits from gambling, unlike the gambler." [I]

Harm was also seen to extend more broadly than this to include friends, work colleagues, employers and so on. It was seen as something that can *"ripple out and affect the whole social network"* [A]. One stakeholder conceptualised this as a drawstring effect:

"lots of people are tied to each other through invisible bonds of money, and if you start reducing money, you soon see where these bonds lie - it shows up tensions in social relations." [A]

Range of harms experienced

Stakeholders felt that a broad range of harms could be associated with gambling. In some cases these were viewed as interconnected between the individual gambler and their families. For the individual, the main harms mentioned related to money, to financial harms and debt, which were followed by general harms about putting gambling before other responsibilities.

Describing the range of harms, one stakeholder thought that it was about:

"time spent on gambling that could have been used on other things, loss of activities, loss of variation of people's lives,[gambling] funnels it away from people's lives. But the main harm is financial, it's to do with money." [A]

Others described what they thought were likely psychological harms and impact on wellbeing, describing health-related harms, like anxiety or depression, and relationship problems and breakdown. As one stakeholder described *"first you think about money and finances but there's an awful lot more than just money"* [T]. This was supported by others who argued that:

"you can still experience harm even if you can afford it... it doesn't necessarily have to be about spending beyond your means." [I]

The notion of gambling taking you away from other things, the activities of daily life and social experiences, was a form of harm mentioned by some stakeholders. In some cases, this view was generated through personal experience and observation. One stakeholder described their conversations with gamblers in venues:

“they [the gambler] said they should be spending more time and money with their families. Their social lives constrict and they seemed less able to make positive social connections”.

Stakeholders highlighted a number of harms that they felt could affect individuals, their families or both. These tended to relate to familial arguments, relationship breakdown and family strain on resources, relating to either money, time or both. Some thought that harms existed on a spectrum, for example ranging from relationship stress and arguments to relationship breakdown, and felt that most harms could be conceptualised along a spectrum of severe to less severe.

Among others affected, anxiety, stress, uncertainty, instability and neglect were key themes mentioned as potential harms which could have an impact on the health and wellbeing of these people. These were noted alongside practical harms such as how to pay bills and manage finances. One stakeholder said they viewed harm in two ways: intrinsic and extrinsic. Extrinsic harms could be things that are more visible, like relationship breakdowns or evictions, whereas intrinsic harms, like anxiety, instability or neglect, are more hidden and the gambler themselves may not be aware of these harms upon other people.

Finally, some stakeholders argued that there could be broader harms at a societal level, typically mentioning harms relating to anti-social behaviour and/or crime. The feeling that gambling could create a more general sense of worry and anxiety among communities was mentioned by one stakeholder [A], though they also stated this was difficult to pin down.

Gambling-related harm and problem gambling: the same or different?

Stakeholders were asked to consider what differences, if any, there were between gambling-related harm and problem gambling. The two concepts were described by most as being quite different, this was in respect to the breadth of impacts considered, who might experience harms and recognition that harm could be episodic and short-term. On the whole stakeholders felt that gambling-related harm was a broader concept than problem gambling and that whilst problem gamblers may be experiencing harm, those experiencing harm were not always problem gamblers:

“problem gambling relates specifically to the individual doing the gambling whereas gambling-harm can be looked at as one step removed, that is the problem gambler puts the money into the machine but the harm is caused to his family” [T]

“problem gambling has a narrow focus on individuals as isolated units. Ideas about problem gambling don't take as much interest in the amount of money or time spent, they tend to look more at personality or irrational cognitions. Conceptions about harm look at more abstract things that are involved in gambling itself. It's to do with the product and the environment in which it goes on.” [A]

Others, however, felt that the concepts were rather similar and that the term gambling-related harm was problem gambling in a different guise, *“an umbrella statement that politicians like to use” [T]*. It was argued that focus on gambling-related harm had not reframed policy thinking to look beyond the individual, as focus on the individual has carried through into the harm-reduction literature:

“it's just a temporary construction around which a group of scholars have consolidated a body of work trying to replace the idea of problem gambling with gambling-related harm.” [A]

Some (though not all) industry stakeholders concurred and felt that gambling-related harm was a proxy for problem gambling. Interestingly, these stakeholders described problem gambling as spending too much time or money gambling, which is different from clinical definitions and has similarities to the definition of gambling-related harm given by other stakeholders. This group did, however, believe that *“the individual is the problem gambler, but the harm starts to draw in other people in” [I]*. Here, even though this group expressed problem gambling as a preferred term, their understanding of what problem gambling meant and its relationship to harm broadly reflected the views of other stakeholders.

Evidence

As noted earlier, the concept of gambling-related harm emerged in international academic and policy literature from the turn of the 21st century onwards. However, there has been a lack of research understanding, exploring and measuring harms more broadly and the area is still in its infancy. A review of literature containing the terms gambling and harm (in the abstract or title) returned over 100 articles. However, further review showed that for roughly half, the focus of the article was not harm itself but rather the term was used as a proxy for problem gambling or to describe implications for policy around gambling-related harm.

Of the 43 articles considered for further review, there was a broad range of approaches as to how harm was defined, conceptualised and operationalised. These can be summarised into four themes:

- studies which talked about harm but offer no definition of what harm means (11 articles),
- studies which talked about similar concepts but either did not use the terms gambling related-harm or define harms more specifically (7 articles),
- studies which conflated broader harm, with harm from problem gambling and other related concepts (11 articles), and
- studies which attempted to define harm and/or offer some ways of investigating it (16 articles).

Those studies which did not define harm, tended to talk about harm in a general sense or say that certain characteristics were associated with gambling-related harms, without defining or conceptualising these harms further. This ranged from noting associations between proximity to gambling venues and expenditure levels or characteristics of certain groups and saying that this was associated with harm (e.g., Young & Tyler, 2008).

The second group of articles tended to be either qualitative reports or review articles. The single qualitative study reviewed, rightly, let participants describe their experiences without enforcing rigid concepts and definitions upon analysis. The study was of the impact of gambling among 'heavy gamblers' and highlighted themes around the impact upon children, ranging from neglect to lack of funds to feed them or provide necessities, taking time away from family life, and getting angry or stressed with children, especially when worried about money. As well as financial impacts, other consequences such as having to move home or deal with bailiffs were cited. Marital breakdown was also a key theme (Dyall, 2007). These impacts are similar to those mentioned in stakeholder interviews as gambling-related harms. Other articles talked about similar issues but referred to these as the negative consequences of gambling (Cantinotti & Ladouceur, 2008) or as unhealthy gambling (Dickson-Gillespie et al, 2008), adverse consequences (Fogarty & Young, 2008) or as community harms (Wall et al, 2010).

The third group of articles tended to focus on harms associated with problem gambling under the rubric of gambling-related harm. In some articles the term gambling-related harm was used interchangeably with gambling-related problems (Peller et al, 2008). In others, the term harm was used but what was measured were problem gambling scores or evidence relating to consequences of problem gambling (Markham, Young & Doran, 2002; Raisamo et al, 2014; Delfabbro & LeCouteur, 2004; Brown & Raeburn, 2001). Others recognised that gambling harm is poorly described and conflate harms and problems (Rintoul et al, 2013).

The final group of articles included those where an attempt to define or explain harm was made, some of which also offered ways to measure/explore this empirically. Although there were a greater number of articles in this group than the others, this was because some came from New Zealand, which includes a national definition of harm in its primary legislation, or from a group of researchers in Canada who attempted to identify harm using the Problem Gambling Severity Index.³ The Canadian research team then applied this approach across a number of articles.

Within these articles, explanations of harm included the following:

“Adolescents may experience a variety of harms in different social contexts in which the gambling is occurring, and thus, more attention should be given on assessment of all potential harms of gambling thoroughly, including less serious harms and other dimensions that are not typically part of the clinical based screens.” (Raisamo et al, 2013)

“Harm or distress of any kind caused or exacerbated by a person’s gambling, and includes personal, social or economic harm suffered by the person, their spouse, partner, family, whānau and wider community, or in their workplace or society at large” (This is the national definition used in New Zealand’s 2003 Gambling Act and is used in a number of articles. See Dowdon, 2007; Walton, 2012; Tu et al, 2014; Livingstone, 2006).

“Harmful consequences are not limited to pathological or compulsive gamblers but may also affect recreational gamblers on occasions. As such, harm minimization represents an alternative to abstinence-oriented policies. It focuses on reducing the adverse consequences among all gamblers including those who cannot cease their activity at the present time, and is compatible with an eventual goal of abstention.” (Blaszczynski, 2003)

“Gambling results in a range of harms, not just for individuals but for families, communities and local economies.” (Hancock et al, 2008)

Harm is *“that which is experienced by the individual and caused to others such as family, friends, employers and others in the community.”* (Fearnley et al, 2013)

Gambling-related harm is *“any significant negative consequences which result from gambling in excess of what the consumer can afford in terms of either time or money.”* (Blaszczynski et al, 2014)

³ The Problem Gambling Severity Index is one of many survey instruments designed to measure problem gambling.

“Harm from gambling can occur at multiple levels including the individual, family, community and society.” (Currie et al, 2009)

With the exception of quotes from Blaszczynski, all definitions include the concept that harm extends beyond the gambler and can affect others, their families and communities. This echoes findings from stakeholder interviews. The first quote from Blaszczynski (2003) supports the notion that people who are not problem gamblers can experience harm, whereas the concept of harm extending beyond the individual is arguably implicit within the phrase *‘any significant negative consequences’* though overall, this definition is rather more focused on the individual than the others (Blaszczynski et al, 2014).

Finally, even though harm was more broadly defined in these studies, many relied on analysing responses to problem gambling screens to identify harm, thereby reducing the conception of harm to a narrow basis. Only a few studies from New Zealand and Finland were identified which attempted to articulate a broader range of harms and capture information about this. For example, the New Zealand Health Survey captured information about whether there had been arguments in the household about the time and/or money spent gambling and whether someone in the household had to go without something they needed because of gambling or whether bills weren't being paid because of gambling. (Tu et al, 2014; Raisamo et al, 2013).

Summary

Among stakeholders and within the academic literature there is a broad consensus that gambling-related harms can be experienced by individuals, their families and their communities. There is general recognition that individuals can experience harm and not be problem gamblers and that some harms can be temporary and episodic. There is a recognition that the experience of harm is subjective and based on the personal circumstances of those involved.

It is also clear that the term gambling-related harm is often conflated with problem gambling or at-risk gambling and research evidence rarely reflects harm in the broadest sense of the definition. There is a lack of clarity around terminology and some people describe harm in other ways, such as adverse or negative consequences, or in the case of some stakeholders as problem gambling but describing something more akin to broader harm when probed.

The term gambling-related harm is relatively new in policy and academic circles, which partially explains the limited evidence base assessing it. Difficulties with definition are likely to exacerbate this, especially with the over-reliance of gambling research on quantitative

methods, which prefer less nuanced terms that can be measured or can be backed up with clinical assessment.

The implication for this study is that when looking at evidence relating to vulnerable persons and harm, the literature inevitably focuses on problem and at-risk gambling as a proxy for this. As such, the quick scoping reviews presented in Chapter 3 focus more on evidence relating to 'problem' individuals rather than broader harms or harm to others. This is because the evidence base is skewed towards this focus, and is a noted limitation of this study. However, given stakeholders views that people experiencing problems with gambling would almost certainly be experiencing harm, there is some confidence that this literature is appropriate to understanding one aspect of harm, even if it is in a more limited sense.

Vulnerable people

Policy perspectives

As with the concept of harm, the protection of vulnerable persons was given primary importance in the Gambling Act through the third licensing objective. However, as noted earlier, vulnerable people were not defined by the Act, neither was there further consideration of how those vulnerable to harm from gambling may be the same or different from vulnerable people in British society generally. In broader British policy circles, the term 'vulnerable person' has a distinct meaning, as set out by the Safeguarding Vulnerable Groups Act, 2006 (see Box 3).

However, looking at the Budd Report and clarifications issued by the GC, it is clear that the third licensing objective is intended to extend beyond the rather narrow meaning of the Safeguarding Act and is concerned with protecting those vulnerable to gambling-related harm.

Box 3: Definition of vulnerable persons from the Safeguarding Vulnerable Groups Act, 2006

A person is a vulnerable adult if he has attained the age of 18 and—

- (a) he is in residential accommodation,
- (b) he is in sheltered housing,
- (c) he receives domiciliary care,
- (d) he receives any form of health care,
- (e) he is detained in lawful custody,
- (f) he is by virtue of an order of a court under supervision by a person exercising functions for the purposes of Part 1 of the Criminal Justice and Court Services Act 2000 (c. 43),
- (g) he receives a welfare service of a prescribed description,
- (h) he receives any service or participates in any activity provided specifically for persons who fall within subsection (9),
- (i) payments are made to him (or to another on his behalf) in pursuance of arrangements under section 57 of the Health and Social Care Act 2001 (c. 15), or
- (j) he requires assistance in the conduct of his own affairs.

Protection of the vulnerable, alongside children, was a key recommendation in the Budd Report which argued that protection of the vulnerable was key reason why regulation was needed:

“it is a legitimate role of regulation to limit the risk of problem gambling even if this means restricting the freedom of those who can gamble harmlessly.” (DCMS, 2001)

In discussing who was ‘vulnerable’, the Budd Report stated that there was a need to:

“identify the vulnerable or the conditions which are particularly likely to give rise to problem gambling in those who participate.” (DCMS, 2001)

Here vulnerability was clearly defined in accordance with gambling practice and behaviours. Although the GC has not defined who they consider to be ‘vulnerable persons’, they do state that this is likely to include:

“people 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 a mental impairment, alcohol or drugs.” (GC, 2015)

This clarification includes some of the groups identified within the Budd Report as those likely to be vulnerable, such as young people, those under the influence of drugs/alcohol and those with co-existing mental health conditions. It also implicitly includes other groups highlighted by the Budd Report as potentially vulnerable under the rubric of ‘gambling beyond their means’. The Budd Report identified low income groups and those most disadvantaged and marginalised by economic change as potentially vulnerable. What the GC’s clarification excludes are social determinants of vulnerability beyond economic means based on personal or social situations, such as being an offender or having a family background of problem gambling, which were highlighted in the Budd Report.

In 2012, the RGSB went further, stressing the need for research to better identify vulnerable groups. This strategy was explicit, vulnerable persons or groups meant those most at risk of gambling-related harm. They highlighted that some groups were already 'known' listing correlates for problem and at-risk gambling from the BGPS and other surveys.⁴ Homeless people, ex-service forces personnel, offenders and itinerant groups were also identified as potentially vulnerable, echoing the broader considerations made in the Budd Report.

Stakeholder perspectives

Individuals and groups

Stakeholders were asked who they thought were vulnerable people generally and who might be vulnerable to gambling-related harm. There was broad agreement between the two concepts, as one stakeholder argued *"if you are vulnerable generally then you are vulnerable to harm from gambling"* (A). However, the characteristics of those who might be vulnerable to gambling-related harm were more broad ranging than those given for vulnerable people generally. Some stakeholders thought that anyone could be vulnerable to harm from gambling that *"everyone is potentially vulnerable at some points"* (L). However, these stakeholders also recognised the need to narrow the definition:

"anyone is a potential candidate - but I can see that you've got to try to identify other common characteristics" (L)

"everyone could be vulnerable as a starting point... but I acknowledge that some people and groups who may be more vulnerable, I would want to break it into 1) individual and 2) groups and communities" (A)

"anyone could be vulnerable but it's who is more likely to fall foul of that vulnerability."
(L)

Focusing on who was likely to be vulnerable to gambling-related harm, three thematic groups emerged from stakeholder interviews. These were:

- 1) Those with constrained social and economic circumstances. This tended to include those living in deprived areas, those who were unemployed, those with low income but also

⁴ The 'known' vulnerable groups as articulated by the RGSB were those aged 16-24 (both men and women); Asian and Black British; those from socially deprived areas; the unemployed; heavily engaged gamblers; those with Anti-Social Personality Disorder; adolescents (especially those with Attention Deficit Hyperactivity Disorder).

- those experiencing social isolation or more uncertain social circumstances, for example homeless populations, offenders and migrants.
- 2) Those with certain demographic characteristics. This included the young but also other characteristics such as gender and ethnicity – though it was broadly accepted that these characteristics may be serving as a proxy for other mechanisms. For example, older people were mentioned though the mechanisms articulated around this related to social isolation, or the experience of common life events, such as bereavement and/or having low fixed incomes.
 - 3) Those who may have poorer judgement. This ranged from people with certain mental health conditions, those with learning disabilities or low educational attainment, to those with temporary impairment or longer term difficulties because of substance use/misuse.

It was clear from interviews that stakeholders believed that these three themes intersected with one another and were not mutually exclusive.

Dynamic nature of vulnerability

The broad characteristics of vulnerability articulated by stakeholders included personal, individual and social and economic determinants. It was argued that who may be vulnerable may change over time, as a reflection of broader social, economic and political changes. Some stakeholders argued that the economic crisis and the impact of austerity politics may impact on the propensity of some groups to be vulnerable to harm:

“austerity and income inequality may be exacerbating inequalities in gambling and who is at risk, and therefore who is vulnerable....perhaps we may be seeing more of a social gradient than we were seeing previously...[this is] symptomatic of relationship of behaviour to broader economic climate.” (A)

Others believed that vulnerability may be related to social changes in the nature and composition of inner city areas:

“inner cities used to be white working class, gambling is an inner city activity. Now those who live in inner cities has changed... the changing profile of who lives there makes them more vulnerable as it's a function of the inner city life,” [I]

This theme of flux and movement within populations was also mentioned by some treatment providers who noted that the nationality of migrants presenting for treatment tended to mirror different waves of migration patterns from Europe.

For others, it was related to broader cultural changes in modern society or the way that gambling is now presented and situated:

“youth may be becoming more vulnerable because they want more instant gratification because they live in a fast paced world - this may make them more vulnerable” (I)

“there’s greater exposure to gambling as a society, so some people are now exposed to gambling who weren’t before.” [L]

The normative shift in policy, positioning gambling as a leisure activity was, for some stakeholders, felt to be associated with certain groups becoming more vulnerable that they were previously: women and older people were the key groups mentioned here.

There was a broad consensus that those vulnerable to gambling-related harm may change as reflection of broader social processes. Therefore the characteristics of who is vulnerable to harm should be viewed as dynamic and open to change. This point was explicitly recognised by the RGSB in their 2012 strategy which concluded that the *“evidence needed to be kept under constant review”*.

Summary

Vulnerable people have been singled out for special regulatory attention and protection. Although not defined in the Gambling Act, it is clear from the Budd Report and subsequent policy advice that the third licensing objective refers to protecting those vulnerable to gambling-related harm, which is qualitatively different from protecting ‘vulnerable persons’ as defined by other legislation.

There is also a belief held among stakeholders that who may be vulnerable could be related to broader social changes and processes. This implies that a local perspective to understanding the risk of harm is vitally important, as these social processes and social change may be very variable at the local level. For example, certain areas may attract new kinds of people (for example migrants), changing the profile of who may be vulnerable to harm in that area.

Most stakeholders clearly articulated the kinds of characteristics of people or groups that they felt could be vulnerable to harm. However, some noted that anyone could experience harm and, as such, a probabilistic approach was needed focusing on those more likely to experience harm or who were more susceptible to problems. This has resonance with the previous discussion about the subjective nature of harm. Here the view was that not all individuals with certain characteristics *will* experience harm, but rather *may have elevated risk* of harm, and

thus be more vulnerable. This accords with recent policy thinking from the GC, and is a key consideration for this project.

The remainder of this report therefore looks at who **may be** more vulnerable, focusing on those groups highlighted by stakeholders, and the strength of the evidence supporting this.

Approaches to evidence

Finally, before reviewing evidence, it is important to discuss some key themes relating to evidence and how it is viewed and used in gambling policy and practice.

Stakeholder perspectives

Issues relating to the use of evidence in gambling policy and decision making were discussed with stakeholders. Topics discussed related to the ways in which evidence was used, how it related to the terms of the Act, and what 'counted' as evidence.

First, some stakeholders felt that the standards of evidence generally applied to gambling policy were much more conservative, and in their opinion, unobtainable comparative to other policy areas:

"sometimes I think that people demand standards of evidence that are almost impossible to generate because they are looking for causal connections and relationships and it's really, really hard to demonstrate. Even in medicine, it's really hard to demonstrate that A actually causes B..." (A)

"The holy grail is to change the discourse from 'prove it, prove it' which the smoking industry used in the 1950s to precautionary principles and trying to put in place the measures to avert risk." (L)

For some, this situation was exacerbated by the terms of the Act and the tension between the 'Aim to Permit'⁵ clause and the licensing principles.

"the standards for gambling are even higher than for alcohol as the licensing objectives in the Gambling Act specifically refer to gambling. If you compare this with alcohol

⁵ In the Gambling Act, 2005, LAs are instructed that they should aim to permit gambling in so far as doing so is reasonably consistent with the three licensing objectives.

licensing, that just talks about crime and disorder generally, it doesn't relate that to the sale of alcohol, just says crime and disorder.” (L)

It was felt that this created conditions where the burden of proof moved away from precautionary principles and towards a situation whereby causal proof must be demonstrated:

“asserting the existence of vulnerable people in the area - but so what? It's not presenting evidence that these people are being harmed - a district judge wouldn't accept it.” (L)

A second related theme was that what counts as evidence varies based on what you believe is trying to be proved. If you are trying to prove that opening a new gambling premise in an area will cause harm (a deterministic view of causal processes that x causes y) then the standards of evidence required are much more stringent than if you are focusing on the risk of harm (taking a more generative view of causal processes, that x may cause y depending on a, b or c circumstances).

Both views were held among stakeholders. Those who tended towards the former view, referred to this as 'direct' evidence and said it was very rare that this kind of evidence was ever presented. Some also noted it was very difficult to generate. Among this group, some academic studies were viewed with caution, described as 'too general' or useful in terms of "shining a light on issues" but unless this could be backed up with causal proof for a specific case, as anecdotal. This was view was illustrated discussing the potential relationships between pay day loan shops and gambling premises and the concern that some may use money obtained on credit to gamble:

“simply the presence and possibility of the link is anecdotal. Unless you can provide that there is a clear pattern that this is happening on a regular basis.” (L)

These stakeholders were also more sceptical about the use of evidence generated from other jurisdictions, arguing that so many circumstances are different that this is not particularly helpful. For this group, evidence tended to count as something that was based on data, clear fact or fact-driven and subject to objective analysis.

Other stakeholders, who typically held a less deterministic view of causal process, discussed the use of broader sources of evidence, such as general research studies, academic papers and both quantitative and qualitative insight. Large gaps in evidence base were explicitly acknowledged and therefore some felt that inference and insight should be drawn together from a range of sources and methods. For example, one stakeholder spoke about the use of evidence from other jurisdictions:

"[this] does have a place in the evidence base, but it depends what it is... You need to fine tune any piece of research depending on what it is. There will be some things that are across the board that you can transpose into Britain but when you get into the detail of particular areas and jurisdictions and regulatory regimes and the people who live and work there you probably do need to tailor a little to take into account cultural differences. But sometimes doing that is dismissed out of hand and doesn't need to be... It can be used as a way of discounting evidence that isn't as appealing." (A)

This group felt that hierarchies of evidence existed and that this resulted in difficulties in terms of broadening understanding. For some this bias was driven by those wanting 'statistical proof' and the "power of numbers in policy circles" (A)

"there is an inherent bias for quantitative over qualitative - the bigger the sample the more it's trusted. ...It's very easy to flippantly dismiss a qual study as 'only' 50 people. ...good evidence is probably a mix of both." (P)

Finally, it was broadly acknowledged by most stakeholders that there was a lack of evidence on which to rely. It was noted that large scale surveys deliver broad statistical overviews, but to date have given very little meaningful insight around harm. This lack of understanding was felt to relate to two aspects, first that harm is very often hidden, making it difficult to observe and understand and second, there is no strategic policy directed at exploring or evidencing harm, meaning there was little impetus for this evidence base to develop in Great Britain.

Implications for this study

These contrasting views of the nature of evidence and how it is used when aiming to mitigate harm are important. Recent policy changes announced by the GC represent a move away from more deterministic approaches of understanding behaviour and outcomes towards more probabilistic approaches, where the risk of certain outcomes occurring is of central importance. This signals a change in thinking about how evidence is used and what it is intended to prove.

It means thinking more specifically about the various contexts and mechanisms that could combine to generate different outcomes. Attention to context links strongly with the GC's new focus on local risk assessment and understanding local issues when making decisions. It also means moving away from thinking that evidence should prove that if 'I do X, the outcome will be Y' towards thinking that if 'I do X there is a risk of Y because of a, b or c', where evidence is used to assess the potential risk and is combined with knowledge about local contexts.

One stakeholder argued that this requires changing ways of thinking about evidence, how it is used and assessing evidence in a more probabilistic way, using a framework of logical inference instead to consider how plausible or coherent the evidence is. This perspective has been supported more broadly in epidemiology, which has cited the over-reliance on statistical proof that often hinders effective decision making:

“Regulators often fail to act because we have not yet statistically “proven” an association between an exposure and a disease, even when there is enough evidence to strongly suspect a causal relationship...If we can escape from the false dichotomy of “proven vs. not proven,” facilitated by the non-existent bright line implied by statistical hypothesis testing and by the notion that causality can be definitively inferred from a list of criteria, then we can make decisions based on what we do know rather than what we don’t.” (Philips & Goodman, 2004)

Drawing on this perspective, a framework of logical inference has been used in this report when reviewing and evaluating the evidence relating to gambling-related harm and vulnerable people. Drawing on the work of Bradford-Hill (1965), this includes the following:

- 1) Is the relationship plausible; does it make sense?
- 2) Is the relationship coherent with existing knowledge?
- 3) Is the relationship consistent over space and time? If not, what are the contextual factors that explain why not?
- 4) How strong is the relationship? As Bradford-Hill described, the stronger the better in terms of potentially identifying casual associations.
- 5) What are the alternative explanations?
- 6) Is there analogous evidence from similar policy areas?

Consistent with a reorientation in how we think about and use evidence, we believe this provides a useful framework against which to evaluate the state of current knowledge about the relationship between gambling and vulnerable groups. This logic framework has been used in the following quick scoping reviews, to which this report now turns.

3 Identifying vulnerable people: findings from a quick scoping review

Introduction

This chapter provides an overview of the evidence relating to groups of people that stakeholders identified as potentially vulnerable to gambling-related harm. For each group or characteristic, stakeholder perspectives are discussed first, followed by issues relating to definitions or context. Evidence is then reviewed, drawing on the logic framework outlined in the previous chapter, followed by a summary.

There are some key terms and limitations which apply to the following sections:

- First, some stakeholders felt that anyone could be vulnerable to harm but understood that when looking at risk you have to try to identify those who are potentially more at risk than others. Therefore, in the discussion that follows we are not suggesting that everyone with this characteristic is vulnerable to harm, rather that they may be at increased risk of harm.
- Second, who is vulnerable is likely to vary and shift according to broader socio-economic changes. Therefore, the characteristics described by stakeholders are based on current understanding but should be updated and reviewed as society changes.
- Third, a concept used in the following discussion is that of the 'harm paradox'. The harm paradox is a concept from public health used when certain groups show higher risk of harm or health problems despite having overall lower engagement in or consumption of risk behaviours. It has been commonly used to describe socio-economic inequalities in alcohol consumption, whereby those from more socially deprived backgrounds are either less likely to consume alcohol or consume similar amounts to more affluent counterparts but are more likely to experience alcohol-related harm (as measured by alcohol-related mortality and hospital admissions) (Smith & Foster, 2014). The harm paradox is useful in highlighting groups or characteristics of groups who may be at greater risk of harm.
- Finally, the topics included in the scoping review were generated from stakeholder interviews. These interviews focused on understanding vulnerability in the context of the development of local area profiles. The characteristics cited by stakeholders focused more on demographic, social and economic vulnerabilities and less on psychological vulnerabilities. As this report is intended to help LAs, industry and regulators identify local risks, it focuses on aspects where local area knowledge and insight is more likely to

be available and does not consider psychological traits in-depth. We do not claim that this report is a comprehensive review of all potential characteristics of vulnerability but rather reviews characteristics of most relevance to local area risk profiles, as articulated by a diverse range of key stakeholders.

Scoping review: overview of methods

The type of evidence review used in this study was a quick scoping review (QSR). This was chosen primarily for practical reasons; LAs are revising their Statements of Licensing Policy in summer 2015 ahead of implementation in January 2016. This includes outlining their approach to local area profiles, which has to be subject to public consultation. For this project to be useful to LAs, results needed to be available by early summer 2015. Therefore, a QSR method was chosen.

QSRs are a methodology recommended by the Government Social Research Office. They are used to quickly determine the range of studies that are available on a specific topic and produce a broad 'map' of the existing literature. As they are conducted under short time frames, they are typically constrained by search strategy (using fewer bibliographic sources), availability of sources (typically focusing on those that are available electronically) and/or question (focusing on a limited range of issues). The main constraints for this study were:

- 1) limiting searches to key words in the title or abstract of the article/report,
- 2) limiting the number of databases searched (three in total) and,
- 3) for broader topic areas, focusing on existing research reviews and synthesis.

These constraints mean that QSRs may not identify all pertinent literature. Whilst this may have implications for the conclusions derived from these reviews, we consider this potential limitation to be less pertinent for this study. For many topics considered, there was a paucity of literature available and for these areas we are confident that we identified and considered most relevant studies. For broader topic areas, we focused on identifying studies from Britain and in some cases conducted new analysis of British data to provide this evidence. Whilst some international studies may have been overlooked by the QSR methodology, we are again confident that we have included evidence from the most relevant British-based literature.

All evidence reviewed was subject to an assessment of quality. With regards to quantitative studies, this included (where appropriate) review of the sample design, analytical methods used and appropriateness of conclusions given the study design. Where possible, evidence from gold

standard survey vehicles was preferred.⁶ For some topics only a small number of studies were identified. In these cases, those of lesser quality were included in the reviews but the potential limitations of these studies have been noted in the commentary. Some quantitative studies were specifically excluded from the QSR. These were studies conducted using purposive sampling methods with non-representative population groups.⁷

For qualitative studies, similar assessments were made about the design, methods and appropriateness of conclusions drawn. Best practice was considered to be studies which mapped the range and diversity of opinion on a given topic and where results were appropriately analysed (thematically, not numerically).

In this review, equal weight is given to evidence from quantitative and qualitative studies, providing both meet minimum quality standards. However, in this report there is a greater focus on quantitative studies as this is the main research method used in gambling studies to date.

⁶ The Health Survey for England, The Scottish Health Survey, The British Gambling Prevalence Survey and the Adults Psychiatric Morbidity Survey all have National Statistic status, a sign of scientific merit and rigour, demonstrating that these studies meet the Government's Code of Practice for Official Statistics.

⁷ Much gambling research has been generated by conducting research with college students, where credit is exchanged for participation. The extent to which findings from these studies can be extrapolated to other populations groups is unclear and therefore studies of this kind were generally excluded from the QSR.

Evidence review – who are vulnerable groups?

Young people

Stakeholder perspectives

Most stakeholders thought that younger people could be vulnerable to harm. Definitions of younger people ranged from very young children through to those in their mid-twenties, including students. Among children, harm was seen to function in two ways. A child could experience harm from direct engagement with gambling or a child could experience harm because of parental gambling problems.

With regards to the former, it was generally felt that children could be vulnerable as they don't have the skills and experiences to make informed decisions and thus could experience difficulties more easily if they gambled. One stakeholder thought that children's vulnerability extended beyond these considerations. This participant felt that gambling is naturally interesting to children because of its overlap with play, meaning that children are more likely to be interested in gambling at a much younger age than for other risk taking behaviours.

Some stakeholders argued that there was a likely inherent vulnerability for those reaching the legal age to gamble as they now would be able to legally engage but may not have the same level of resilience as older adults. Others, however, thought that interest in gambling was part of the developmental process, part of the age of experimentation. Teenage years were seen as pivotal among some stakeholders, with one stating:

“if they [teenagers] don't feel supported, they don't have good communication skills, if they are a bit of a loner, it can create a predisposition [to gamble] as they tend to look for ways to escape.” [T]

All stakeholders thought that children could be vulnerable to harm as a result of their parents' gambling actions. Children not having what they needed financially, having less time/attention from parents, or living in households with high levels of stress and anxiety due to gambling problems were seen as some of the harms that these children could experience.

Definitions/context

The Gambling Act's third licensing objective states that children should be protected from being harmed or exploited by gambling. It is explicitly recognised that children are a vulnerable group. The legal age for most gambling products in Great Britain is 18, with the exception of lotteries,

scratchcards and football pools which is 16. There are also some gambling machines (Category D) which have no age limit and it is legal for anyone of any age to play them. For the purpose of this review young people is taken to mean anyone up to the age of 24, reflecting the range of ages mentioned by stakeholders.

Evidence

There is a wealth of research evidence exploring gambling behaviours among youth. In Great Britain, national studies were conducted in 1996, 1997, 1999, 2005 and 2009, with monitoring data about underage participation collected yearly by the GC. These studies, conducted among school pupils aged 12-15, have typically shown that gambling is a popular activity despite legal age restrictions on most commercial forms of gambling. In 2009, 21% of pupils had gambled in the week prior to interview (Ipsos, 2009).

These large-scale national studies also assessed the experience of gambling problems, using a problem gambling screen adapted from the one used for adults (called the DSM-IV-J-MR).⁸ In 2009, rates of problem gambling among youth in Britain were estimated to be 2% (Ipsos, 2009). Whilst not directly comparable, this rate is similar to problem gambling rates reported among other young people, being 2.1% for those aged 16-24 and higher than rates reported for other adults (Wardle et al, 2011). This pattern has been replicated in studies of youth gambling worldwide.

Nevertheless, it is clear that not all youth engage in gambling. Forrest and McHale (2011) conducted extensive analysis of the 2009 British Survey of Children, the National Lottery and Gambling. They identified that boys, Asians, those with parents with permissive views of gambling or who themselves gambled, those without siblings, those in the care of a guardian, cigarette smokers and children with higher levels of income had elevated risk of gambling problems (Forrest & McHale, 2011).

The British Gambling Prevalence Survey (BGPS) and health survey series⁹ have also shown that those aged 16-24 have elevated rates of problem gambling compared with other adults (Wardle

⁸ This was developed in the 1990s though there are concerns about whether these screens are appropriate for use among adolescents, especially as they have not been clinically validated among adolescents. There is recognition that youth may experience a different range of impacts and harms as a result of gambling to adults. As Volberg et al (2010) note, there is a lack of consensus about what constitutes problems among adolescents which has yet to be resolved. However, in the absence of other measurement instruments, screening instruments adapted from those which measure problems among adults have been routinely used internationally to capture rates of problematic gambling among youth.

⁹ In 2012, questions about gambling were included in the Health Survey for England and the Scottish Health Survey for the first time. These studies are called the health survey series in this report.

et al, 2011; Wardle et al, 2014). This is despite the fact that rates of past year gambling are typically lower among this age group than other adults (with the exception of those aged 75 and over). This means that those aged 16-24 who do gamble are more likely to experience problems than gamblers of other ages. However, in the QSR no British-based analysis was identified that examined how the experience of gambling problems varies among those aged 16-24, with the exception that rates are higher among men than women.¹⁰

Internationally, understanding of gambling behaviour among youth is generally recognised to be under-developed comparative to, say, alcohol studies (Blinn-Pike et al, 2010). Despite this, evidence relating to youth gambling has been synthesised on a number of occasions (Blinn-Pike et al, 2010; Valentine, 2008; Volberg et al, 2010) and common themes identified (see Box 4).

Box 4: Key themes from gambling research literature about gambling and youth: reproduced from Blinn-Pike et al (2010)

1. Gambling is more popular among males
2. Problem gamblers are greater risk-takers
3. Adolescent rates of problem gamblers are 2–4 times higher than those of adults
4. Adolescent problem gamblers have lower self-esteem compared to other adolescents
5. Adolescent problem gamblers have higher rates of depression than both adolescent social gamblers and non-gamblers
6. Adolescent problem gamblers dissociate more frequently while gambling than adolescents who gamble infrequently
7. Adolescents between 14 and 17 with serious gambling problems are at greater risk for suicide ideation and suicide attempts
8. Adolescent problem gamblers are at increased risk for other addictions, including substance abuse
9. Adolescent problem gamblers score higher on excitability, extroversion and anxiety and lower on conformity and self-discipline
10. Adolescent problem gamblers have poor coping skills
11. Adolescent problem gamblers report beginning gambling at younger ages as compared to peers without gambling problems
12. Adolescents move quickly from social to problem gamblers
13. Adolescent problem gamblers are more involved in delinquency and crime and are more likely to have disrupted family relationships and poorer academic records
14. Adolescent problem gamblers often replace quality friendships and relationships with associations with gambling associates
15. Adolescent problem gamblers often fail to be referred to or seek treatment
16. Adolescent gambling is an international problem.

¹⁰ Base sizes from the BGPS and/or health survey series have not been large enough to examine patterns of behaviour within this age group specifically.

A notable limitation of many studies of youth gambling behaviour is that they tend to focus on problem gambling and pathologise behaviour. There is very limited evidence about the experience of broader gambling-related harms among youth. One study identified in the QSR addressed this issue specifically, stating:

"adolescents may experience a variety of harms in different social contexts in which the gambling is occurring, and thus, more attention should be given on assessment of all potential harms of gambling thoroughly, including less serious harms and other dimensions that are not typically part of the clinical based screens" (Raisamo et al, 2013).

To do this, these authors developed survey questions about a range of harms and collected data on them among youth (aged 12-18) in Finland. The harms measured were: conflict with parents, conflict with friends, disruption to school work, feeling guilty, skipping school/work, non-payment of debts and stealing money to gamble. Estimates of harm ranged from 6% (for debt and money problems) to 17% for feeling guilty about gambling (Raisamo et al, 2013). The authors concluded that type of gambling-related harms that adolescents experience relates more to social problems and disruptions to daily life (in terms of school, work and social commitments) than issues about money. Experience of this broader range of harms among youth in Britain has yet to be explored.

Summary

Children were explicitly identified as being vulnerable to harm in the Gambling Act, 2005. There is strong evidence, consistent between jurisdictions, that children, adolescents and young adults are vulnerable to the experience of gambling problems or at risk of experiencing gambling problems. Rates of problem gambling among young people who gamble are higher than older adults. This is consistent with the harm paradox, whereby these age groups are less likely to gamble generally but those that do are more likely to experience difficulties with their behaviour. The harm paradox is evident among males and females alike, something that is often missed as comparisons tend to focus on men versus women.

There is limited understanding as to why this pattern occurs, broader experiences of harm and, among 'emerging adults', how behaviours vary for people with different backgrounds and characteristics. Youth should be considered a vulnerable group because of the greater likelihood of problems if they engage, but further research is needed to explore how this varies between and within groups. Attention is given to one subset of youth in the next section, students.

Students

Stakeholder perspectives

Nearly all stakeholders highlighted youth as a vulnerable group, with youth including children, adolescents and young adults. Within this, some stakeholders thought students could be vulnerable to harm. A combination of leaving home, stress of being in new environments, having fixed incomes as well as sudden increases in access to money through student loans and/or financial worries were seen as contributing factors underpinning this vulnerability.

For some, students were considered to be at higher risk than other younger people because they could legally access gambling, whereas younger people are (largely) legally prohibited from commercial forms of gambling. Foreign students were also seen as a potentially at risk group. This was viewed as related to their migrant status (see discussion about migrants later in the chapter), especially if students were coming from countries where gambling was not as accessible or available as in Britain.

Definitions/context

Students have been highlighted as at risk group in many public health areas. Termed 'emerging adults', student status is viewed as a time of heightened risk taking, identity exploration, instability and potentially isolation where there are fewer parental and social controls (Arnett, 2004; 2008). This group have been the focus of attention for engagement in other risk behaviours, such as alcohol consumption, drug use, and risky sexual behaviour. Therefore students have been given attention in the gambling literature because of potential clustering of risk behaviours as well as attendant issues relating to their 'emerging adult' status.

Students in higher education were seen by some stakeholders as a group whose vulnerability to harm may be increasing. This was in the context of greater changes to student finances with higher rates of tuition fees introduced in 2012, rising rents and greater uncertainty around job markets post-graduation. Data from the latest Student Income and Expenditure Survey shows that in 2011/12 first year students saw a real terms decrease in income, coupled with an 18% increase in housing costs. The authors concluded that:

“the overall impact on students' financial position was to increase the level of predicted student (net) debt among first year students” (Pollard et al, 2013).

Stakeholders felt that this combination of factors could create contextual circumstances where students who gambled were at greater risk of harm than previously, as they may be facing greater financial strain generally.

Evidence

There is very little evidence about students' experience of gambling in a British context. Writing in 2008, Moodie stated that "*the lack of research [into British] student gambling was mystifying*". Little has changed and aside from Moodie's study of gambling behaviours among Scottish college students, no other British studies looking at this were identified. Moodie's study identified that 3.9% of college students were probable pathological gamblers and a further 4% were problem gamblers. These figures are typically higher than those reported among similar age groups interviewed through household surveys. However, comparisons should be treated with caution due to different ways of measuring problem gambling and uncertainty about the extent to which these results can be extrapolated to the broader student population.

The BGPS/health survey series gives very little additional insight. These are both household based surveys and thus exclude those living in institutions, like student halls of residence. Whilst some students living in private rental accommodation, or living at home with parents, are included, results cannot be extrapolated to all students.

Nevertheless, these studies show that those aged 18-21 in full time education tended to gamble less than those aged 18-21 who were not in full time education. Rates of problem gambling were 0.6% among young people in full time education and 3.3% for non-students; these differences were not statistically significant and rates of at-risk gambling were similar (20.6% vs 19.9%).¹¹ Therefore, evidence from this skewed group of students shows that whilst they are less likely to gamble, those that do experience a similar range of problems to other young people of a similar age. This evidence does not discount the theory that students could be a vulnerable group but rather highlights the need for this to be better explored.

A final UK-based study was identified conducted by the organisation 'Save the Student' which provides money advice and support to students. In 2013, their annual survey of student finances found that 20% of students had turned to gambling to make money.¹² This is perhaps unsurprising as this organisation publicises gambling, specifically matched betting, as its number one way for students to make additional cash.

Looking at evidence from further afield, there is a wealth of international evidence exploring gambling behaviour among students in higher education. This is largely because much research has been conducted using college students as a sample, trading participation for credits (Disley et al, 2013). There are fewer studies which look at the experience of harmful gambling

¹¹ These estimates are based on new statistical analysis of the BGPS 2010 survey conducted for this report. See Appendix A.

¹² The question wording used was "Have you ever gambled to try and make money (rather than for fun)?"

consequences. Most research focusing on the gambling behaviour of students has been conducted in North America and comparisons should be made with care due to the different nature and structure of higher education between Britain and these countries. These studies tend to show elevated rates of problem gambling among college students comparative to adult rates generally, though it is not always clear if these rates are elevated comparative to the same age group who are not in higher education (Shaffer et al, 1999; Blinn–Pike et al, 2007; Nowak & Aloe, 2014). One study did not find elevated rates of problem or pathological gambling among college students (Shaffer et al, 2005). The conclusion Shaffer et al (2005) drew from this was that “*most adverse effects of student gambling remain sub-clinical*”. This suggests that some students may experience harm even if this does not reach clinical levels of gambling problems.

Summary

Students were highlighted by some stakeholders as being potentially vulnerable to harm from gambling. There is very limited British evidence to assess this as it has not been a focus of enquiry. Only one British study was identified in the QSR. This showed elevated rates of problem gambling among students in Scotland. Evidence from the BGPS showed students who are not living in institutions display similar levels of risk and problem gambling to those of the same age who are not in higher education. This suggests that students should be considered as vulnerable as others of the same age, though based on the evidence available to date, it cannot be concluded that they are more so. Further investigation is needed to explore whether gambling harms are increasing among this group, particularly relating to changes in student finances, cost of living and job prospects.

Mental health

Stakeholder perspectives

Those with poor mental health were identified by nearly all stakeholders as a potentially vulnerable group. One stakeholder described vulnerability as a “*temporary or permanent inability to appreciate what is best for you*” (A) and therefore they thought that people suffering mental incapacities, be it temporary or permanent, would be vulnerable.

Stakeholders described a range of mental health problems that they felt could indicate enhanced vulnerability. This ranged from those with psychological conditions such as paranoid schizophrenia, personality and bi-polar disorders to those with common mental disorders, such as depression, anxiety and Obsessive Compulsive Disorder to those with other substance

abuse/misuse conditions. Some stakeholders discussed how those with a history of trauma could also be vulnerable to gambling-related harm, using gambling as a way of escape.

Stakeholders, however, highlighted the complexity of some of these relationships and how difficult it is to untangle cause and effect. This was particularly true when considering the relationship between anxiety and/or depression and gambling. One stakeholder succinctly summarised their view of this:

“those experiencing psychological difficulties are vulnerable to gambling, but whilst this association is known, it's not clear whether this [psychological difficulties] is caused by the gambling or whether it's a precursor to the gambling. The assumption is that it's a bit of both and so far as it's a bit of both, then it implies that those with psychological difficulties are more at risk.” (A)

Another stakeholder illustrated the same point, talking about the reciprocal relationship between gambling and depression:

“it's a bit chicken and egg, it depends...sometimes in the gambler's head it [gambling] takes them away from the bad stuff, from the depression and feeling awful...but only for a very short period of time and then they are back to where they started so it can become very difficult to figure out where does it start...so the activity to relieve that feeling is actually creating that feeling.” (T)

Some stakeholders felt the relationship between gambling and some mental disorders were related to the way that people with mental health problems are treated by society. This was also combined with the attractiveness of the gambling environment. It was felt that people with mental health problems can be bullied or generally ostracised by society or are those who:

“are on the margins of society and find a place within the betting shop or the arcades...and they do tend to gravitate towards these places so they are pretty vulnerable.” (T)

Here it was felt that people with mental health problems can be attracted to gambling as a 'safe' place to go to be around others whilst not having to engage with others directly. It was also felt that these people could get validation from the gambling activity. For these stakeholders, the relationship between mental health problems and vulnerability to gambling harm was about more than people simply having diminished capacity to make informed decisions about play.

Finally, some stakeholders argued that broader societal changes could mean that those with mental health problems may be more vulnerable than previously. This was in the context of

British austerity politics, cuts to mental health services and generally the experience of living through recession creating stressful economic conditions for some, which are known to be related to mental health problems.

Definitions/context

The range of mental health problems described by stakeholders can be categorised into four broad types: common mental disorders, psychosis, substance abuse/misuse and other conditions.

Common mental disorders (CMDs) are mental conditions that cause marked emotional distress and interfere with daily function, but do not usually affect insight or cognition (McManus et al, 2009). They comprise different types of depression and anxiety and include General Anxiety Disorder, Mixed Anxiety and Depressive Disorder, Phobias, Obsessive Compulsive Disorder and Panic Disorders.

Psychoses are disorders that produce disturbances in thinking and perception severe enough to distort perception of reality. The main types are Schizophrenia and Affective Psychosis, such as Bi-Polar Disorder (McManus et al, 2009).

There is a range of different terminology used to describe substance abuse/misuse. For alcohol, the following tend to be used for public health monitoring purposes: hazardous and harmful alcohol consumption. Hazardous drinking is a pattern of alcohol consumption carrying risks of physical and psychological harm to the individual. Harmful drinking denotes the most hazardous use of alcohol which is likely to damage health.

One possible outcome of harmful drinking is alcohol dependence, a cluster of behavioural, cognitive, and physiological phenomena that typically includes a strong desire to consume alcohol, and difficulties in controlling drinking (McManus et al, 2009). With regard to drug misuse, this has been defined as the use of a substance for purposes not consistent with legal or medical guidelines. In a small proportion of users, this may lead to drug dependence, which like alcohol dependence, is a cluster of behavioural, cognitive, and physiological phenomena, such as a sense of need or dependence, impaired capacity to control substance-taking behaviour and persistent use despite evidence of harm (McManus et al, 2009).

Finally, a range of other conditions were also cited by stakeholders. These included the experience of trauma, Attention Deficit Hyperactivity Disorder (ADHD) and personality disorders. ADHD is a widely recognised complex developmental disorder in childhood that can persist into adulthood and cause impairment (McManus et al, 2009). Personality disorders are longstanding, ingrained distortions of personality that interfere with the ability to make and

sustain relationships. Anti-Social Personality Disorder and Borderline Personality Disorder are two types with particular public and mental health policy relevance (McManus et al, 2009). The experience of a traumatic event is distinct from and more severe than stressful life events. A traumatic event is where individuals experience, witness or are confronted with life endangerment, death or serious injury or threat to self or close others (McManus et al, 2009).

Evidence

As seen in the section above, there is a broad range of conditions to consider when looking at the relationship between mental health and gambling. Because of this breadth, it was not possible to fully review all literature relating to each individual condition. Evidence was preferred where it was UK based or where studies focused on the general population and compared the experiences of those with and without certain mental health conditions.

As noted by Petry et al (2005), most information about the co-occurrence of mental health problems and gambling behaviour has been generated from studies of people presenting for treatment. However, as only a small minority of those with gambling problems seek treatment, the extent to which results can be extrapolated to all gamblers is unclear. It may be that the existence of multiple mental health conditions means that these people are more likely to seek treatment than others.

Comparative to North America, there is a dearth of British evidence about the relationship between gambling and mental health. In 2007, gambling behaviour was included in the English Adult Psychiatric Morbidity Survey (APMS), which produces National Statistics on the prevalence of mental ill health in England. Yet to date, in depth analysis of the relationship between gambling behaviour and the full range of conditions captured by APMS 2007 has not been undertaken. The only analysis published in the main study report was a set of correlation coefficients showing the likelihood of two conditions being experienced by the same person. This is different to looking at the risk of gambling harms or problems among certain population groups.

New analysis produced for this report shows that higher rates of problem gambling are found among those with the following conditions (see Appendix A for tables):

- Mixed Anxiety and Depressive Disorder
- General Anxiety Disorder
- Phobia
- Obsessive Compulsive Disorder
- Panic Disorders

- Eating Disorders
- Probable psychosis¹³
- ADHD
- Post-Traumatic Stress Disorder
- Harmful and hazardous levels of alcohol consumption
- Drug dependency

Problem gambling prevalence rates varied from 6% among those with probable psychosis to 1.5% among those with Mixed Anxiety and Depressive Disorder. This latter estimate is over twice the level of problem gambling among the general population (0.7%). Whilst Anti-Social Personality Disorders, Borderline Personality Disorders and Autism were captured in APMS, sample sizes were not large enough to include in analysis. Problem gambling rates did not vary based on whether participants had experienced depressive episodes or were current smokers.

The patterns noted above persisted when age, sex, ethnicity, income and multiple deprivation were taken into account. Logistic regression models showed elevated odds of problem gambling among those who had any one of the conditions listed above (see Appendix A). The greatest odds of being a problem gambler were observed among those with probable psychosis and phobias (the odds of being a problem gambler being 8 times higher among people with these conditions than without them) followed by Panic Disorder (odds being 6 times higher) and General Anxiety Disorder (odds being 5 times higher).

Results also showed that the prevalence of at-risk gambling¹⁴ was also higher among those with each of the conditions listed above (See Figure 1).

¹³In APMS, a diagnosis of 'probable psychosis' was given for a positive (Schedule for Clinical Assessment in Neuropsychiatry (SCAN) interview (phase 2 interviews), or where no SCAN was conducted if two or more psychosis screening criteria were endorsed in the phase 1 interview.

¹⁴ In APMS, at-risk gambling was those with a DSM-IV score of 1-2 and problem gambling those with a score of 3 or more. See McManus et al, 2009 for further details.

Figure 1 Prevalence of at-risk and problem gambling by mental health conditions

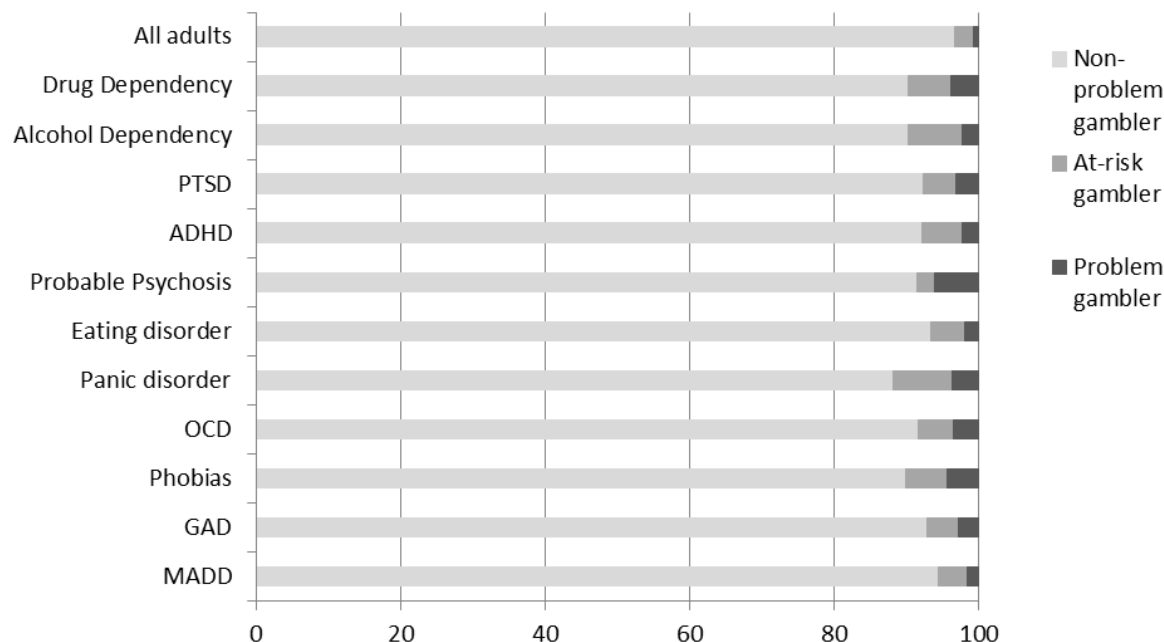


Figure 1 shows that for people with the conditions listed above, a significantly higher proportion were either at-risk or problem gamblers than all adults generally.¹⁵ Among the general population, only 3% of adults were categorised as at-risk or problem gamblers. Yet for those with the conditions shown in Figure 1, rates were typically double that and for those with a drug or alcohol dependency, phobias or panic disorders around one in ten (10%) were at-risk or problem gamblers.

These patterns are notable as past year gambling participation was broadly similar among those with and without the conditions listed above. This was with the exception of those with phobias and probable psychosis who were far less likely to gamble than those without these conditions. This means that those with these conditions who do gamble experience far greater risk of problems, a clear example of the harm paradox. Current cigarette smokers and those with hazardous or dependent levels of alcohol consumption were more likely to gamble in the past year, though differences in problem gambling prevalence rates were not attributable to this. Looking at past year gamblers only (i.e., taking greater propensity to gamble into account) those with alcohol dependency had higher rates of problem gambling than those with no alcohol consumption problems. This means that people who have alcohol dependency

¹⁵ In this analysis, problem gambling was defined as having a score of 3 or more on the DSM-IV screening questions and 'at-risk' a score of 1-2, meaning that these people experienced some difficulties but were below the threshold for problem gambling. See Shaffer et al, 1997.

problems and gamble are more likely to experience problems than gamblers who do not consume alcohol or do not consume alcohol to harmful levels.

A potential explanation for this was given in Reith and Dobbie's (2011) qualitative examination of gambling careers, where one participant explained the effect that alcohol had on their gambling behaviour:

"when you're drunk all that [studying form] goes out the window, your only mind-set is to try and win money as quick as possible. The drink clouds your judgement ... when you're drunk you can't stop and just say right I'm happy with that win I'll take that I'll put that in my back pocket, it doesn't really happen" (Reith & Dobbie, 2011).

Other research has also shown a relationship between gambling problems and alcohol consumption more generally. The BGPS series highlighted that the prevalence of problem gambling was higher among those who consumed the most alcohol on the heaviest drinking day in the past seven days (Wardle et al, 2007). A similar finding was noted by Plant et al (2005) in their (British based) examination of the relationship of multiple risk taking behaviours.

Of course, what Figure 1 also shows is that not everyone with these conditions experiences a problem with their gambling, and that not everyone gambles. Looking at problem gamblers and at-risk gamblers specifically, 69% of problem gamblers experienced at least one of these conditions (including depressive episodes and personality disorders) and 47% of those who were at-risk experienced the same.¹⁶ Therefore, whilst the majority of people with certain mental health problems may not experience problems with gambling, the majority of problem gamblers experience other mental health problems.

These findings, presented here for the first time, are similar to those found in other jurisdictions. In America, analysis of the National Epidemiological Study of Alcohol and Related Conditions (NESARC) showed that drug use disorder, alcohol use disorder, mood, personality and anxiety disorders were related to pathological gambling,¹⁷ with the odds of being a pathological gambler being higher among people with these disorders. The authors concluded that the *"evidence for the relationship between substance use disorders and pathological gambling was unequivocal"* (Petry et al, 2005). However, they acknowledged that there was

¹⁶ Being a current smoker was excluded from this analysis.

¹⁷ This study differs from APMS in two ways. First, it uses the diagnostic term pathological gambling, given when a score of 5 or more is attained when answering the DSM-IV screen. The APMS analysis uses a threshold of 3 or more to represent problem gambling as this is commonly used in gambling policy in Great Britain. Second, NEARC measured lifetime pathological gambling rates. That is, whether a respondent had ever experienced a range of difficulties. APMS measures current rates of problem gambling, that is problems experienced in the past 12 months.

less information available about other psychological disorders and that some of the relationships observed could be related to diagnostic overlap.

Since Petry et al's 2005 study, others have analysed this relationship further. Similar results were found in a Canadian study, which showed that those with mood and anxiety disorders or substance misuse/abuse disorders were more likely to be at-risk or problem gamblers (el-Guebaly et al, 2006).

In 2008, Kessler et al analysed age of onset to attempt to unpick the temporal sequencing of disorders. They concluded that most co-morbid anxiety, depressive disorders and alcohol and drug abuse began at an earlier age than pathological gambling, with 74% of pathological gambling cases occurring subsequent to the onset of other disorders. However, they also noted that this was not universal and that "*some mental disorders might be a risk factor for pathological gambling and others a consequence*". Pathological gamblers have periods of abstinence and relapse and problems persist over a long time frame, making sorting out the temporal sequencing of events difficult (Kessler et al, 2008).

A limitation of Kessler et al's (2008) study was their reliance on retrospective self-report of age of onset for each condition. A further study (Chou & Afifi, 2011) attempted to address this by analysing data from a follow-up study to NESARC 2005.¹⁸ In the follow-up study, data about a variety of mental health issues were collected so investigators could see who now experienced certain conditions which they had not previously. Chou and Afifi (2011) demonstrated that pathological gambling was associated with the subsequent experience of mood disorders, PTSD, General Anxiety Disorder and substance abuse/misuse. However, because pathological gambling was not asked about in the second study, they were unable to look at what prior conditions may be associated with later onset of gambling problems. They concluded that there were likely reciprocal and cyclical relationships between gambling and other psychiatric disorders.

Summary

There is a consistent body of evidence from Britain and North American demonstrating a strong association between gambling problems and many mental health conditions. This suggests that those with Common Mental Disorders, substance use/abuse problems, psychoses and other conditions like PTSD have higher rates of problem or at-risk gambling than those without these conditions.

¹⁸ A follow-up study is a study where the same people are interviewed again at a later date. Changes in circumstances are then analysed and investigators can start to determine the sequence of events.

However, the temporal sequencing and the specific mechanisms that underlie this relationship are uncertain. Here the comments made by one stakeholder seem appropriate and are worth repeating:

"it's not clear whether this [psychological difficulties] is caused by the gambling or whether it's a precursor to the gambling. The assumption is that it's a bit of both and so far as it's a bit of both, then implies that those with psychological difficulties are more at risk." (A)

This is supported by current theory about the routes into problem gambling. The 'pathways model' put forward by Blaszycki and Nower (2002) shows three different pathways into problem gambling, two of which differ based on whether psychopathology pre-existed gambling or whether it was a consequence of gambling engagement.

Finally, evidence relating to alcohol consumption and its relationship with gambling highlights the range of theories that might explain this relationship. For example, in the short term it is recognised that alcohol has a disinhibiting effect and, based on the evidence provided by Reith and Dobbie (2011), may impair judgement if gamblers engage when under the influence of alcohol.

However, this is just one theory. For some the relationship may be explained by a more general propensity to seek different sensations expressed through engagement in gambling and consumption of alcohol. For others, gambling and use of other substances may mask other problems. In short, it is unlikely that there is a single explanation for the relationship and we should allow for a plurality of theories.

Little work has been undertaken exploring this more broadly. Given the current state of the evidence base, we can conclude that those with mental health problems are potentially vulnerable to gambling problems, and whilst little is known about why this relationship exists, it is unlikely to be solely related to impaired judgement capacities.

Learning disabilities/difficulties

Stakeholder perspectives

Many stakeholders felt that those with learning problems may be more vulnerable to harm. This was described as '*people who might not understand gambling*', '*people who aren't good with numbers*', those with a '*learning difficulty*' or with low levels of education. It was felt that these groups might not be able to understand how gambling works, especially the role of chance or odds and probabilities. It was argued that this lack of understanding may make them

more vulnerable to harm as they may have less ability to make informed choices about their gambling behaviour and/or to understand the consequences of their actions.

Definitions/context

There are a plethora of terms used to describe learning problems. Over time, these have ranged from learning disabilities, intellectual disabilities, learning difficulties, special educational needs, mentally handicapped and so on. The variance in nomenclature was reflected in the way stakeholders described this potential vulnerability, suggesting a range of potential issues among those with 'learning difficulties' to those who don't understand odds or probabilities. In British policy, learning disability is described by the Department of Health as:

- a significantly reduced ability to understand new or complex information or to learn new skills,
- a reduced ability to cope independently, or
- an impairment that started before adulthood, with a lasting effect on development.

Learning disabilities exist upon a continuum of severity. This continuum, as described by the British Institute for Learning Disabilities (BILD), ranges from mild, where people may need some support to understand abstract or complex ideas or in completing forms and budgeting but who often live independently, to profound where people have a profound intellectual disability, requiring extensive support and care (BILD, 2011; Mansell, 2010).

Although used interchangeably, learning disability is viewed as different to learning difficulties. In educational policy, the term 'learning difficulty' is used to describe those with specific learning difficulties but who do not have impaired intellectual functioning (for example dyslexia or dyscalculia, a difficulty understanding arithmetic). The Special Educational Needs and Disability Code of Practice also presents learning difficulties on a spectrum from moderate to profound (DFE/DH, 2015).

In interviews with stakeholders it was clear that those with learning disabilities and, to a lesser extent, learning difficulties were considered potentially vulnerable groups. Those with low levels of educational attainment were also considered potentially vulnerable.

Evidence

Looking first at the relationship between learning disabilities and/or difficulties and gambling behaviour, there is a paucity of evidence. No British-based studies were identified examining

this. A small body of research from Ontario, Canada was identified which examined the relationship between 'learning disabilities' and gambling behaviour among adolescents.

Of the four studies identified, all used a similar methodology of administering surveys to pupils in school-based settings. Two of the four studies used participant self-report to identify those who had been diagnosed with a 'learning disability'. This included those with a reading or learning disability or dyslexia. The other two studies identified those with 'learning disorders' as those with individualised educational plans in place because of problems with reading and/or numeracy. Compared with British policy definitions, these studies focus more on 'learning difficulties' than disabilities. For clarity, this term is used in the following sections.

These four studies provided inconsistent results about the relationship between gambling behaviour and learning difficulties among adolescents. McNamara et al (2008) did not find a statistically significant difference in gambling participation between those with learning difficulties, those with learning difficulties and comorbid ADHD, and those with no learning difficulties. However, in a subsequent study, McNamara and Willoughby (2010) noted that participation in gambling was higher among those with learning difficulties than those without learning difficulties. The purpose of these two studies was to examine engagement in a range of risk taking behaviour among those with learning difficulties. As such, only participation in gambling was measured and not the experience of gambling problems.

The other two studies both found that the prevalence of gambling problems was significantly higher among boys with learning difficulties than boys without learning difficulties. However, there was no association between gambling problems and learning difficulties among girls (Parker et al, 2013; Taylor et al, 2014). Taylor et al (2014) also showed the boys with learning difficulties had more erroneous beliefs about gambling than those without learning difficulties.

No evidence about the relationship between learning difficulties/disabilities and gambling among adults was found in the QSR, though some surveys have shown a relationship by which those with lower levels of educational attainment have greater odds of problem gambling (Wardle et al, 2007; Sproston et al, 2000). The mechanisms underpinning this association are uncertain and it may be that that low levels of educational attainment is, to some extent, acting as a proxy for learning difficulties. This remains to be explored.

Thinking about the broader relationship between gambling and intellectual functioning, one British study analysed evidence from APMS 2007 and demonstrated a strong relationship between problem gambling and low verbal IQ scores. This association persisted even when a range of other factors were taken into account (such as mental health, substance use, impulsivity and socio-demographic characteristics). However, there was no relationship evident between low verbal IQ scores and non-problem gambling. The authors concluded that:

“The lack of similar associations in people with non-problem gambling may point towards general cognitive abilities being a predictor of individuals at a higher risk of making a transition to problem gambling” (Rai et al, 2014).

A similar finding was evident among youth, Emond et al (2011) found that among 17 year olds, the odds of being a regular gambler and of being a problem gambler were higher among those with low IQ scores (measured when the child was 7.5). Emond et al (2011) noted that the relationship between low IQ and regular gambling was partially explained by socio-demographic and economic features but that the relationship between problem gambling remained significant even when these factors were taken into account. The QSR also identified one further study from Canada (Hodgins et al, 2012) where low IQ was positively associated with higher frequency gambling.

Finally, the relationship between educational attainment and gambling behaviour was assessed in the BGPS/health survey series. This shows mixed results. In 2010 and 2012, problem gambling rates did not vary by level of educational attainment. However, in the BGPS 2010, the odds of being a low risk gambler were 1.5 times higher among those with no educational qualifications than those educated to degree level or higher. Earlier studies in the BGPS series (1999 and 2007) showed that those who were educated to A-Level equivalent or lower had higher rates of problem gambling than those who were educated to degree level.

Summary

Stakeholders interviewed felt that those with learning difficulties could be at risk of experiencing harm and thus constitute a vulnerable group. This concern was typically based upon the notion that gambling should involve informed consumers, making informed choices to engage in gambling (Light, 2007). Those with diminished capacity to make these informed choices were therefore viewed as a vulnerable group. Viewing those with learning difficulties/disabilities as vulnerable is consistent with policy framing and GC advice. It is also consistent with the two British studies showing that those with lower IQ have a greater risk of gambling problems.

Thinking about learning difficulties/disabilities more specifically, there has been very little empirical investigation of this and the research that has been conducted focuses on the experience of adolescents in Canada. Three of the four studies reviewed showed a relationship between gambling behaviour and learning difficulties, though in some cases this was only evident for boys. These studies also discussed inconclusive findings of other studies examining the relationship between those with learning difficulties and engagement in other risk-taking behaviours. However, they have usefully highlighted a potential relationship between learning

difficulties among adolescent boys and the experience of gambling problems in a Canadian context.

Among adults, there is very little evidence available about the relationship between learning difficulties and gambling behaviour. However, varying evidence of a relationship between low level of educational qualifications (even after age has been controlled for) and gambling problems suggests this warrants further consideration. Further examination is needed of the relationship between learning difficulties/disabilities and gambling behaviour in adulthood, for which educational attainment may serve as a proxy.

Immigrants

Stakeholder perspectives

Some stakeholders felt that immigrants could be vulnerable to harm. In general, stakeholders were referring to first generation immigrants who had recently come to Great Britain. Some described witnessing increased numbers of Eastern Europeans in gambling establishments and that these groups were increasingly seeking treatment for problems.

Stakeholders felt that the social and economic circumstances of these migrants meant they may have heightened vulnerability to harm. For example, one stakeholder described how some recent immigrants may have poor social networks and/or little social support, be socially isolated, have limited financial resources which may contribute to increased vulnerability from harm. Other stakeholders felt that some migrants may come from cultures where gambling availability was not as widespread as in Great Britain and this may impact on their risk of harm.

Definitions/context

When considering issues about migrants there is a natural overlap with ethnicity and ethnic cultures. In this section, migrant status is taken to mean first-generation migrants who have recently entered Britain. We acknowledge there is an artificial distinction between migrant status and ethnicity.

When reviewing evidence about gambling behaviour among migrants, it is very important to consider contextual issues. Data from other jurisdictions may be less appropriate because of the different national and ethnic profiles of migrants and their circumstances upon entering each host country. Therefore, in this section, evidence from Britain and the EU is given preference over evidence from other jurisdictions.

Evidence

There has been very little examination of migrants' gambling behaviour and no British studies were found in the QSR. Two studies conducted in Norway and Denmark respectively found that immigrant status (measured by birth outside the resident country) was associated with being an at-risk gambler. In Norway, those born in non-western countries had greater odds of being an at-risk gambler than 'ethnic' Norwegians (Lund, 2007). In the Danish study, similar patterns were found, though this study only looked at whether people born within Denmark or elsewhere and thus did not make the distinction between western and non-western immigrants (Lyk-Jensen, 2010).

A study in Spain compared the experiences of immigrants who sought treatment with native Spanish treatment seekers. Whilst this study found there were more similarities than differences between them, the authors argued that immigration from Asia had an incrementally important relationship with pathological gambling (Penelo et al, 2012). A final study compared gambling behaviour between native Germans and immigrants using semi-structured interviews. This revealed that acculturative stress was associated with reasons for gambling among migrants (Jacoby et al, 2013).

A study of the experiences of Asian immigrants in New Zealand highlighted how processes of acculturation (that is the meeting of two cultures) can lead to high levels of stress and 'culture shock' when settling into a new country. In-depth exploration of this and its relationship to gambling behaviour among Asian immigrants suggested that these groups were more vulnerable to harm due to a range of contexts and processes. Asian immigrants described using gambling as a way to relieve stress but also gambling because it was a place where they could be with others from their community.

This linked both to themes of social isolation, where the casino offered a safe place for Asians to be around other Asians and for them to meet. As with other groups, financial insecurity and the hope of winning money were also key motivators to gamble and gamble excessively. Immigrants in this study also described differences in culture towards gambling, with gambling in New Zealand being legal and heavily advertised, something they were not used to (Sobrun-Maharaj et al, 2013). Cultural contexts can affect gambling behaviour (MacMillan, 1996; Okuda et al, 2009) and it is plausible that for some immigrants processes of acculturation heighten vulnerability to gambling-related harm.

Finally, in America, a study found that whilst immigrant status was associated with problem gambling, it varied by generation. Those who were first generation immigrants were less likely to be gamblers or problem gamblers than native born Americans whilst those who were second

or third generation migrants were more likely to be problem gamblers than first generation migrants (Wilson et al, 2015).

Summary

With the exception of the American study, this evidence shows broadly consistent results. The few European studies identified suggest that non-native birth was associated with greater probability of at-risk or problem gambling, though what underpins this observation is unknown. As suggested by stakeholders, it is possible that other ethnic, cultural or resources differences are driving this association. Indeed the authors of the American study concluded that:

“inter- and intra-generational dynamics relat[ing] to gender, age of arrival and duration in the United States, and world region from which participants emigrated” (Wilson et al, 2015) were important factors for further consideration.

These are likely to be important considerations when examining this issue in Great Britain also. Sobrun-Maharaj et al’s (2013) study of the experiences of Asian migrants in New Zealand highlighted a range of mechanisms through which migrants may be more vulnerable to harm. However, with all of these studies it is not clear the extent to which findings are transferable to Great Britain. Great Britain has a particularly diverse immigrant population and it is likely that processes and consequences of acculturation vary for different groups.

In summary, there is limited evidence that some immigrants may represent a vulnerable group though, to our knowledge, this has not been explored in a British context. Whilst immigrant status may serve as a proxy for potential vulnerability, it is likely that a range of complex mechanisms and processes underpin this which requires further exploration.

Ethnicity

Stakeholder perspectives

Some stakeholders highlighted that people from certain minority ethnic groups (MEGs) could be more vulnerable to harm. This extended beyond considerations of immigrant status as some stakeholders discussed the cultural preferences of certain ethnic groups for gambling. An industry participant described gambling among some MEGs, in their view, as ‘endemic’ and how gambling was strongly related to culture. The most often cited MEG was Chinese. This may be a reflection of the London-centric focus of stakeholders interviewed and, in part, because there is

a currently a high-profile local community campaign against the opening of another bookmaker in London's Chinatown.

However, cultural preferences and predilections were not the only reasons given as to why certain MEGs should be considered vulnerable. Themes relating to the conditions and experiences of people from these communities were also mentioned. This ranged from type of employment, including low pay, shift work, to the types of urban areas in which many MEGs are based, being areas of greater deprivation. Therefore, MEG status was viewed by some as the visible trait of vulnerability but that underlying circumstances were the contributing factors.

Definitions/context

When thinking about ethnicity and vulnerability to harm, there is clear overlap with considerations of migrant status and the two themes should be considered in parallel. When reviewing evidence about the relationship between ethnicity and gambling behaviour, jurisdictional differences and contexts need to be taken into account.

For example, there is an emerging body of research in New Zealand about the gambling experience of Maori populations. Whilst Maori are a MEG in New Zealand, they are an indigenous population group displaced by Caucasian settlers. Their experiences of displacement, domination and discrimination, along with different cultural practices, are likely to vary to MEG groups in Great Britain who have been established through varying historical waves of immigration. Historical reasons for how and why certain groups came to be present in different countries, and their subsequent experiences, could affect comparisons and should be borne in mind when reviewing research evidence.

Evidence

The 2007 and 2010 BGPS and more recent 2012 health surveys have shown a consistent relationship between problem gambling and at-risk gambling and ethnicity. In all studies, problem gambling prevalence rates were higher among those from non-White ethnic backgrounds. Regression models also showed that the odds of being a problem or at-risk gambler were higher among those from Asian/Asian British backgrounds or Black/Black British backgrounds.

Forrest and Wardle (2011) explored gambling participation among South Asian adults and children, using the BGPS data. They noted the presence of the harm paradox in these findings, where both adults and children of Asian backgrounds were far less likely to gamble than their White British counterparts, yet those that did were more likely to experience problems. These relationships were evident even when other socio-economic factors were taken into account, for example income, socio-economic status and deprivation, leading Forrest and Wardle to conclude that being “*Asian appears to be an independent risk factor [for gambling problems] for both adults and children*”. Looking at evidence from the BGPS and health surveys series, similar conclusions can be made about those who are Black/Black British.

These results suggest the presence of other cultural and contextual effects underpinning this relationship. Religion and religious adherence is often cited as a potential explanation, as some religions, like Islam, explicitly forbid gambling. However, analysis of the combined 2012 English and Scottish Health Surveys showed that ethnic status was independently associated with both problem gambling and non-gambling even when religious status was taken into account. This suggests a broader set of processes and mechanisms influence this association.

Similar findings have been reported in the USA and New Zealand. In America, lifetime rates of problem gambling were higher among Native Americans/Asians and Black groups than White, though not significantly higher among Hispanic groups. The authors suggested that alongside socio-economic differences, cultural differences and different belief systems attached to gambling could play a role in understanding this. They also pointed to post-immigration stress and adjustment as an explanatory factor (Alegria et al, 2009). In New Zealand, the harm paradox was evident with Asian and Pacific groups being far less likely to gamble but problem gambling rates being significantly higher than those of European backgrounds. The experience of broader gambling harms¹⁹ was also significantly higher among Pacific groups (Walker et al, 2012; HSC, 2012).

Stakeholders identified Chinese communities as vulnerable to harm. There are no current British-based estimates of the prevalence of gambling problems among Chinese communities. This is because sample sizes from the BGPS and health surveys series are too small to identify those of Chinese origin for analysis, and, our knowledge no bespoke studies have been conducted. The best estimates remain those from a study conducted in 1996 of a representative sample of British casino patrons. This study concluded that problem gambling estimates were three times higher among Chinese casino patrons than those from other ethnic groups. This suggests that even when propensity to engage in casino gambling is taken into

¹⁹ This was measured through two questions about whether the respondent had experienced arguments about the time and/or money spent gambling and whether someone in the household had to go without something that they needed because someone was gambling too much.

account (in this study by sampling casino patrons) those of Chinese origin had elevated rates of problematic gambling (Fisher, 2000).

Further research into casino gambling behaviour among Chinese was conducted in 2006/07. This anthropological study concluded that whilst cultural practice and setting played a part in shaping Chinese gambling behaviour, other important factors were the material setting and structure of people's lives. Seeing gambling as being '*in the blood*' of Chinese people was viewed as dismissing the role of broad structural factors shaping behaviour, including that of corporate practice and the distribution of gambling opportunities (Loussouarn, 2011). Brief mention of these issues is given by Chan (2000) in her review of experiences of Chinese migrant women in Manchester, citing that irregular working hours and shift patterns among restaurant workers meant that gambling in casinos was one of very few forms of leisure/entertainment available to male Chinese workers (Chan, 2000). Here it is not just an ingrained Chinese culture of gambling that shapes participation but also patterns of employment and more limited leisure opportunities.

These themes have been discussed in an expanding body of literature in Australia, investigating the experience of gambling among Chinese groups. A critical review of the literature concluded that despite different methodological approaches, problem gambling rates among Chinese in Australia are higher than those of Caucasians. This review also cited emerging themes from qualitative research relating to migrant status as factors which underpinned Chinese communities' propensity to gamble. These included poor social support and casinos functioning as a place where Chinese could meet and be with other Chinese, stress and financial insecurity, with gambling being seen as a means to escape and differences in access, availability and state promotion of gambling (Loo, Raylu & Oei, 2008; Scull & Woolcock, 2005).

Finally, some studies have emphasised high reticence among Chinese communities to access help for gambling problems. Explanations given relate to different cultural understanding and suspicion of western medicine but also shame and stigma attached to admitting problems (Chan, 2000). Papineau (2005) stated that in the People's Republic of China gambling is viewed as synonymous with greed and individualism. Depending on the extent to which these values are imported into migrant communities, this may affect willingness to admit to gambling problems.

Summary

There is consistent evidence that those from Asian or Black backgrounds are more vulnerable to gambling problems and there is clear evidence of the harm paradox at work in these associations.

Like many other areas, the mechanisms underpinning these associations are little explored and are likely to be varied, ranging from religious adherence, cultural beliefs and practices, the economic structure and material setting of people's lives and jurisdictional differences in the provision of gambling. In this way, ethnic status may be a visible marker of vulnerability which masks a range of other processes.

Although Chinese were singled out for specific attention by stakeholders, there is very little British evidence which considers this. However, earlier findings from studies in the mid 1990's and anthropological insight from Chinese casino patrons, along with supporting evidence from other jurisdictions, like Australia, suggests that Chinese should also be considered a vulnerable group. Indeed, suggestions that those from Chinese groups are less likely to seek help because of culturally-associated fears of stigma and shame suggest that this group may be even more vulnerable to harm than Caucasians. This remains to be investigated.

Homeless people

Stakeholder perspectives

Some stakeholders felt that homeless people may be vulnerable to gambling-related harm. For one stakeholder this related to broader issues of social isolation, whereby they felt people who were potentially vulnerable to harm were those who had few opportunities to make an investment, either financially or socially, and used gambling to fill this gap. Another stakeholder argued that, in their opinion, if a homeless person was going into a gambling establishment then they should not be allowed to gamble because they lacked the resources to do so and thereby had greater risk of harm.

Definitions/context

In Great Britain, there is a legal definition of homelessness which is enshrined in the Housing Act (1996). Under these provisions, a person is legally defined as homeless if:

- they have no accommodation which they are entitled to occupy,
- the accommodation they are entitled to is of such poor quality they cannot reasonably occupy it,
- they have been illegally evicted or,
- they are in accommodation which they have no legal right to occupy.

Therefore, homelessness does not simply refer to being without shelter or sleeping rough, there is a broader range of circumstances under which someone may be homeless (for example, squatters) and people can move in and out of homelessness. In Britain in 2012/2013, it was estimated that there were around 53,000 homeless households²⁰ and a further 2,700 rough sleepers (DCLG 2015; DCLG 2014).

Evidence

There is a growing body of evidence highlighting a strong relationship between gambling problems and homelessness. A number of studies, despite differences in sampling approaches, ways of measuring gambling problems and cultural contexts, have demonstrated higher rates of problem gambling among homeless population groups. This pattern has been observed among homeless people in Westminster, London; homeless attending substance treatment clinics in Boston, Massachusetts; among homeless people in St Louis, Miss; in homeless shelters in Toronto and finally through comparisons between those visiting health care clinics (for homeless and non-homeless populations) in Albuquerque, New Mexico.

In all of these studies, the rates of problem gambling observed among homeless populations were substantially higher than general population estimates. For example, Sharman et al (2014) estimated that 11% of homeless²¹ interviewed in Westminster were problem gamblers, compared with problem gambling prevalence rates of 0.4% among adults living in private households.²² A further 11% were at-risk of gambling related harm.

With the exception of Heffron et al (1997), these studies have all sampled homeless people from those accessing services and so have been able to provide estimates of problem gambling among these sub-groups but have not explored problem gambling as a predictor of homelessness. Two studies have, however, analysed data from general population samples which included information about those who had and had not experienced homelessness.

The first study analysed administrative data of US veterans and, after controlling for other confounding factors, found that problem gambling status was the second most important predictor of homelessness among this group (Edens et al, 2011). The second study analysed data from a longitudinal survey of adolescents who had self-reported experience of homelessness. This study did not find an association between gambling behaviour and

²⁰ A homeless household is one which is deemed eligible for assistance from their local authority, is unintentionally homeless or falling within a priority need group.

²¹ This study focused on those presenting at shelters for homeless people so represents a conservative definition of homelessness.

²² This comparison was made using data from the combined Health Surveys 2012 report. See Wardle et al, 2014

experience of homelessness (Shelton et al, 2009). However, the measure of gambling behaviour used in analysis was whether gambling had caused serious or repeated problems with family or friends. This is just one aspect of harmful gambling behaviour and it may be that other harms, like financial difficulties, are associated with homelessness.

Finally, a couple of in-depth qualitative investigations of the relationship between gambling and homelessness have been conducted, mainly in Australia (Rota-barterlink & Lipmann, 2007; Holdsworth et al, 2011). These studies have highlighted two main processes underpinning the relationship between homelessness and gambling.

The first is that gambling contributes to homelessness through a number of complex pathways. These include gambling placing strain on financial resources leading to inability to pay rent/mortgages and putting strain on relationships, with relationship breakdown being associated with homelessness. These pathways also include a range of intersecting structural and individual features such as disadvantage, poverty, social isolation, mental health and substance abuse issues.

The second process is continued gambling among homeless population groups for a range of reasons. Holdsworth et al (2011) argued that housing-related stress increases vulnerability for gambling harm by creating instability, insecurity and the corrosion of health and wellbeing. In their study there was evidence of people using gambling to '*ease the conditions*' of being homeless. This included gambling as a method to relieve the types of stress described above and gambling because it provided hope and escape from the realities of their lives.

There were also practical reasons: the gambling venues gave homeless people somewhere to go. Venues provided warmth, shelter, were a safe place to be and were a place for homeless people to connect with others, a way for them to be part of a community and so to relieve social isolation (Rota-barterlink & Lipmann, 2007; Holdsworth et al, 2011). Griffiths (2014) has noted that similar processes may be evident in England and one stakeholder commented that they had witnessed this first hand, with homeless people being tolerated in certain gambling venues.

Summary

There is a small but growing body of research highlighting the association between homelessness and gambling. The relationship is complex and is likely to work in both directions, with gambling contributing towards the determinants of homelessness and housing instability for some and/or being "*a way of negating some the negative experiences of [homelessness]*" (Holdsworth et al, 2011) for others. Statistical analysis conducted to date sheds little insight on

these processes. Many of the North American studies cited measured lifetime rather than current problem meaning it is not certain from these studies that gambling problems and homelessness were concurrent. However, given the growing body of evidence across space and time demonstrating the strength of the relationship, and in the absence of further information about the processes underpinning this, homeless populations should be viewed as a vulnerable population group.

Constrained economic circumstances

Stakeholder perspectives

Most stakeholders felt that those with more constrained economic circumstances could be considered vulnerable people generally and vulnerable to gambling harm. Those with low incomes and/or those who were unemployed or with unstable employment were seen as potentially vulnerable. This tended to be based on a definition of harm as spending more money than you were able to afford which meant you had to go without other things.

However, the concept of the 'poor' being a group vulnerable to harm was contested among some stakeholders. There was concern that defining 'the poor' as a vulnerable group harked back to a moral agenda by which the '*chattering classes*' tried to control and regulate what working class people should and should not do. Others felt the concentration on the poor was '*offensive*' (L) saying it was akin to the dialogue in the twentieth century when people would say "*oh, the poor, they smoke and drink themselves to death*" (L). Another stakeholder felt that increased vulnerability among lower income groups was related to their increased engagement in gambling generally.²³

Among these stakeholders it was felt that broader societal and contextual factors should be considered rather than focus on low income alone. It was suggested by one stakeholder that focus should be on those experiencing financial difficulties, rather than low incomes *per se*.

For some, the relationship between economic circumstances and gambling extended beyond a simple relationship between money, resources and gambling. Unemployment, for example, was seen as a stressor which could make problems more likely. In this way, employment circumstances were related to the experience of broader difficulties, as one stakeholder described "*there's lots of literature associating unemployment with psychological difficulty and showing that it's causal*" (A) meaning that those who were unemployed may be more vulnerable for a range of reasons, not just because they had less money to spare.

²³ This assertion can be tested by comparing problem gambling and at-risk rates conditional on being a gambler (Forrest & McHale, 2011).

Definitions/context

Interviews with stakeholders highlighted a range of economic issues for consideration – these included terms like poverty, poor, low income, under-employed. Defining more clearly what is meant by some of these terms is important. For example, when thinking about low income, how low is low? Defining poverty is also complex. This can be considered in both an absolute and relative way. Relative poverty has been defined as where *“resources are so seriously below those commanded by the average individual or family that they are, in effect, excluded from ordinary living patterns, customs and activities”* (Townsend, 1979).

This clearly highlights contextual understandings of poverty whereby the relative threshold is set in comparison to ordinary living patterns and customs of people within a jurisdiction. As one stakeholder noted:

“what makes someone vulnerable is not just a person's make-up but what society tells them to be. If a society tells you that you should aspire to be being rich, then it makes you more vulnerable to taking risks towards those goals.” (A)

At a more practical level, searching for evidence about the relationship between income and gambling should take into account a number of key points.

First, in policy circles, it is broadly accepted that measures of household income should be the focus of analysis. This means looking at equivalised household income, a measure of income that takes into account the size and composition of the household so that incomes of all households can be compared on equal basis. For example, an individual earning £25,000 a year living alone has relatively different income levels to someone earning the same amount but who also supporting a partner and children. For this reason, focus in the QSR was given to evidence that compared equivalised household incomes.

Second is consideration of what counts as low. In Britain, poverty is typically described as a household income that is below 60% of the median income level (Child Poverty Act, 2010). As an example, if median household income were £25,000 then the poverty threshold would be any household with an income of less than £15,000. Because of this clear policy definition, evidence presented also focuses on this threshold. In British-based studies, household income is typically analysed in quintiles and behaviours among people in the lowest income group compared with those in the highest income group. Looking at the combined health survey data (Wardle et al, 2014), shows that focus on those in the lowest income quintile is a good proxy for those households living in relative poverty. In this dataset, households with income 60% below the median were those with an income of £14,819 or lower. Households in the lowest income quintile were those with an income of less than £13,057 per year.

Finally, stakeholders also spoke about those in financial difficulties. This is independent of income as people at all levels of income can have problems with their finances. It is recognised that the experience of financial difficulties and debt can be a temporary, transient situation, with people employing a range of ways to manage their difficult circumstances. As Barnard et al (2013) state, the term 'debt' itself needs careful articulation and should be considered alongside broader narratives around financial management to understand how financial 'debt' is experienced and managed. There have, however, been very few studies which examine this broader articulation. Therefore, the QSR included evidence relating to the experience of different kinds of indebtedness and gambling behaviour, with indebtedness broadly defined as use of credit, pay day loans, borrowing from family or friends or defaulting on bills.

Evidence

Household income/relative poverty

British-based evidence about the relationship between household income and gambling behaviour is mixed. Generally studies like the BGPS series have shown that those from low income households are less likely to gamble overall. Unlike other groups, where this can largely be attributable to differences in the popularity of the National Lottery, this is not the case with low income households. Those from low income households generally had lower participation rates in in other (non-lottery) forms of gambling than those from higher income households. Exceptions were bingo and scratchcards, where those from low income households were more likely to engage (Wardle et al, 2011).

Evidence about relationship between income and at-risk or problem gambling rates, however, is mixed. The 2007 BGPS showed no significant differences between the lowest and highest income households in term of problem gambling prevalence (0.9% vs 0.4%) though this may be because the study was underpowered to detect differences at this level (Wardle et al, 2007). The BGPS 2010 did show that rates of problem and at-risk gambling were higher among the lowest income households, yet this finding was not replicated in the combined health surveys study even though income was associated with problem gambling in the regression models (Wardle et al, 2011; Wardle et al 2014).

Reed's analysis of the Living Costs and Food Survey (2011) further highlighted the complex relationship between household income and gambling. Analysing data from 2008/2009 he showed that households with the lowest income were less likely to gamble than those with higher incomes. However, those from low income households who did gamble spent a higher proportion of their total income on gambling, showing that when they do engage they engage more heavily than their higher income counterparts. He also analysed the profile of households

with the heaviest engagement in gambling and found that they were roughly equally spread across the income distribution, though they were less likely to come from the lowest income households. He concluded that:

“heavy gambling activity is not the exclusive preserve of the rich, but involves a significant number of households on middle and low incomes” (Reed, 2011).

Financial difficulties and debt

As noted above, financial difficulties and debt are not static and are likely linked and mediated through a range of processes including access to formal and informal sources of credit, financial management, personal control and income. Given the mixed relationship evident between gambling and household income, it is worth considering the broader relationship between financial difficulties and gambling behaviour. Evidence from the BGPS 2010 showed that both at-risk gambling and problem gambling rates were significantly higher among those who had money problems in the past month. In fact, the problem gambling prevalence rate of 6.1% among those with severe money problems was the highest figure seen among all socio-economic characteristics considered (Wardle et al, 2011).

The 2007 APMS survey also highlighted a strong relationship between the experience of debt and problem gambling. Overall, 8% of English adults experienced some form of debt, among problem gamblers it was 38% (Barnard et al, 2013). Two studies have used the APMS results to explore this relationship further.

The first specifically looked at the relationship between gambling, debt and financial management among people with a range of gambling behaviour, who were followed up from the original APMS study (Barnard et al, 2013). This qualitative investigation revealed a complex relationship between financial management and gambling expenditure. Some gamblers displayed controlled approaches to financial management generally but uncontrolled approaches to gambling. Some had chaotic approaches to both whilst others had controlled approaches to both or controlled approaches to gambling expenditure but uncontrolled approaches to broader financial management. This highlighted the non-linear relationship between financial management and gambling behaviours. It also highlighted a group of people who have very good financial management systems and strategies generally, but who have chaotic spending patterns when they gamble. Their uncontrolled gambling behaviour was not due to deficient financial skills but due to their interaction and relationship with gambling itself.

This study also traced pathways into debt among gamblers and highlighted the credit environment as an important factor. Here, easy access to credit facilitated the gambling

behaviour of some and the authors noted examples of where access to expensive credit (via payday lenders) was used almost instantaneously to gamble. Informal credit through friends and family also influenced ability to gamble.

The second study (Meltzer et al, 2012) analysed APMS 2007 data to explore the relationship between debt and common mental disorder. As noted by Meltzer et al (2012), financial stressors such as unemployment, benefit cuts, real term wage decreases and pension cuts are all financial stressors that can be related to common mental disorders and the experience of debt. Findings from this study showed that being in debt and having an addictive disorder, such as problem gambling, were related to the experience of common mental disorders.

This highlights the complex relationship between financial stressors, gambling and other mental health conditions. Focusing on the relationship between depression and debt, Meltzer et al (2012) noted that a dual set of mechanisms are likely to occur: people with debt maybe more likely to experience mental health problems but those with mental health problems may be more likely to experience debt. This study showed that gambling behaviour was also involved in this relationship.

The APMS 2007 survey also included questions about access to credit. To our knowledge, the relationship of this to gambling behaviour has not previously been published.²⁴ Questions asked whether participants had sold anything to a pawnbroker, taken a loan with a money lender, bought goods on a hire purchase scheme or borrowed from family or friends. Overall, 3% of adults in England had borrowed money from one of these sources. Among problem gamblers rates were over double with 7% having borrowed money. Taking age, sex and ethnicity into account, taking a loan from a money lender or pawning goods was significantly associated with at-risk and problem gambling, the odds of being an at-risk/problem gambler being 2.1 times higher among those who borrowed money from these sources.

This relationship between gambling expenditure and credit was supported by analysis from Brown et al (2011). They analysed the Expenditure and Food Survey and showed that making current credit repayments was associated with a 5 percentage point increase in probability of being a gambler. They also noted that the level of credit repayments made was positively associated with a higher probability of increased gambling expenditure. Their analysis did not show any variations in patterns by household income, meaning the increased probability of gambling among those with credit repayments was evident among lower and higher income households alike. The authors concluded that:

“while richer households may be able to better protect themselves against financial uncertainty, those in poorer households are less able to do so. Given the current unease

²⁴ The section that follows is based on new analysis conducted for this report, see Appendix A for tables.

amongst policy makers regarding the levels of secured and unsecured debt at the household level, the similar attitude to financial risk-taking in terms of their [low income households'] propensity to gamble for given levels of indebtedness may be a cause for concern" (Brown et al, 2011).

Unemployment

In Reith and Dobbie's (2013) qualitative investigation of change in gambling behaviour over time, they noted that:

"employment patterns were more unstable and insecure among those whose behaviour progressed or was non-linear, with periods of unemployment and frequent changes of job common" (Reith & Dobbie, 2013).

This describes a group of gamblers who either experienced increasing problems with their gambling over time or those whose difficulties fluctuated. Reith and Dobbie also noted that:

"employment patterns were more stable among those whose behaviour was consistent or reduced, with fewer periods of unemployment and a tendency towards long-term employment in the same job" (Reith & Dobbie, 2013).

This means that where gambling behaviours did not change or people experienced fewer difficulties over time, there was a relationship with more stable employment.

Evidence from cross sectional surveys also highlights an association between employment and problem gambling, with those who are unemployed typically having higher rates of at-risk and problem gambling than those who are in paid employment. In the BGPS 2010, 13.6% of people who were unemployed were categorised as at-risk gamblers compared with 7.5% for those in paid employment. A further 3.3% were problem gamblers, compared with 0.9% of those in paid employment (Wardle et al, 2011). Similar patterns were evident in the more recent health surveys series. Whilst this does not look at movement over time, it does highlight that those who are unemployed may be more vulnerable to experiencing difficulties with their gambling.

These studies also showed that those who were unemployed were less likely than those in paid employment to gamble generally (in the combined health surveys report 59% of those who were unemployed and 71% of those who were employed had gambled in the past year). However, this hides a broader pattern by which those who were unemployed were far more likely to take part in certain activities (such as sports betting, playing slot machines, playing machines in a bookmakers and casino table games) and gambled more frequently than their counterparts in paid employment (Wardle et al, 2011).

Therefore, certain activity preferences and frequency of engagement are likely to combine to produce greater risk of problems among unemployed people. In a study of those holding loyalty cards for one of three major bookmakers, unemployed men specifically emerged as a key risk group. As with the other studies, this group had elevated rates of problem gambling and unemployed men had odds of being a problem gambler that were four times higher than those in paid employment (Wardle et al, 2014).

Summary

The evidence relating to household income and gambling harms is mixed, showing that generally those of lower income are less likely to gamble but those that do spend a higher proportion of their income on gambling. This was highlighted as a concern given the (likely) lesser ability of lower income households to protect themselves from financial instability (Brown et al, 2011). However, as stakeholders noted, there is some unease about labelling all low income households as vulnerable as income, gambling, debt and money management are likely to interact to shape outcomes. However, in the absence of more detailed insight about financial management and debt, low income – particularly those defined as being in poverty - may serve as a reasonable proxy for vulnerability.

Focusing on debt and access to credit, there is a small but interesting body of research highlighting the relationship between debt and gambling, with those in debt and those using money lenders and/or pawnbrokers being more likely to be problem or at-risk gamblers. Meltzer et al (2012) highlighted the further complex relationship between debt, addictive behaviours and common mental disorders, showing how financial difficulties can be associated with multiple health conditions. The reciprocal relationship between financial difficulties and health problems was noted but this highlights a potential vulnerability to harm.

Looking specifically at groups who may experience financial problems, the relationship between unemployment and problem gambling has been highlighted in other international studies (see for example Castren et al, 2013). As stakeholders noted, the relationship between unemployment and gambling difficulties is likely to be more complex than these people having limited access to resources. Unemployment is related to the experience of psychological difficulties which may mediate this relationship. More work is needed to build on the insights of Reith and Dobbie (2013) about the relationship of employment instability to gambling careers. However, there is a consistent body of evidence showing that, for whatever reason, those who are unemployed and who gamble are more likely to experience adverse outcomes from their gambling than those in paid employment.

Multiple deprivation

Stakeholder perspectives

Some stakeholders felt those living in deprived areas were potentially more likely to be vulnerable people generally and more vulnerable to gambling-related harm. Among these stakeholders there was a sense that where you lived, your communities, your local culture and access to services mattered. This was interwoven with views about area-based poverty and also pre-existing supply of gambling opportunities. One stakeholder described this as those:

“who live in poverty and impoverished areas where there are lots of gambling opportunities and there are areas where gambling shops cluster, with pawn brokers and pubs, and people who live in those areas are most vulnerable.” (A)

Definitions/context

In policy terms, it is recognised that deprivation is multifaceted and is not just about poverty and income. In England, deprivation is measured using the Index of Multiple Deprivation (IMD). The Department of Communities and Local Government is clear, this is a measure of deprivation not affluence (DCLG, 2011). In policy terms deprivation means:

“a broad range of issues and refers to unmet needs caused by a lack of resources of all kinds, not just financial” (DCLG, 2011).

In analysis, the most commonly used tool is IMD. This brings together several different domains of deprivation: income; employment; health; disability; education, skills and training; barriers to housing and services; living environment and crime. These domains can be analysed separately or can be combined together into a single index of deprivation. Similar indices are available for Scotland and Wales, though because of different geographies and ways of calculating deprivation, they cannot be combined across the whole of Great Britain.

In addition to IMD, some types of deprivation can be measured in other ways. For example, in 2004, the Department of Health announced the identification of Spearhead Primary Care Trusts (PCTs). These were the 88 PCTs identified as the most health deprived in England. Health deprivation was measured across five areas:

- male life expectancy at birth,
- female life expectancy at birth,
- cancer mortality rate in under 75s,
- Cardio Vascular Disease mortality rate in under 75s and,

- Index of Multiple Deprivation 2004 (Local Authority Summary), average score.

By identifying Spearhead PCT areas, the aim was to create strategies to help tackle inequalities in health outcomes and behaviours by targeting resources in areas where it was needed most.

Finally, drawing on evidence from public health, there is a broad acceptance that where people live matters to health. In 2010, the Marmot Review²⁵ stated that:

“inequalities in health arise because of inequalities in society – in the conditions in which people are born, grow, live, work, and age” and that tackling these inequalities was a matter of social justice (DH, 2010).

The RGSB increasingly advocates that a public health approach be taken to understanding gambling behaviour. Following the recommendations of the Marmot Review, this suggests a focus on inequalities in behaviour, the conditions of people’s lives (including where they live) and the impact of gambling on wellbeing more broadly.

Evidence

British-based evidence relating to gambling and deprivation has tended to focus on two themes. The first is the relationship between deprivation and gambling behaviour, the second is the distribution of gambling opportunities and deprivation.

Looking at relationships between gambling behaviour and deprivation first, the BGPS, the English and Scottish health surveys and APMS 2007 provide some broadly consistent evidence. The first pattern is that those living in the most deprived areas are either less likely or are just as likely to gamble as those living in the least deprived areas. The most recent survey evidence from the health survey series saw no differences in participation by deprivation once age was taken into account (Wardle, 2013; Wardle & Seabury, 2013). According to Orford et al (2010) this masks a pattern where those in deprived areas who do gamble do so more frequently than gamblers in less deprived areas.

These studies also tended to show significant variations in the prevalence of at-risk or problem gambling by deprivation. In the BGPS 2010, problem gambling prevalence rates were higher among those living in more deprived areas. At-risk gambling rates were also higher among those living the most deprived areas (9%) than those in the least deprived areas (5%) (Wardle et

²⁵ The report “Fair Society, Health Lives” is known as the Marmot Review. It is the culmination of an independent review chaired by Professor Sir Michael Marmot into evidence-based strategies for reducing health inequalities in England. This review was commissioned by the Department of Health.

al, 2011). This is supported by the APMS 2007 survey whereby problem gambling rates were 1.3% among those in most deprived areas and 0.4% for those in least deprived areas.

This demonstrates that whilst gambling participation by deprivation may be similar, those living in deprived areas who gamble are more likely to experience problems (in the APMS survey, problem gambling rates conditional on being a gambler were 2% for those living in the most deprived areas and 0.6% for those in least deprived areas).²⁶

The Scottish Health Survey also showed a strong relationship with deprivation (measured by the Carstairs Index). Those living in the most deprived areas in Scotland were 6.9 times more likely to be a problem gambler than those living in the least deprived areas (Wardle, 2013). Finally, in the Health Survey for England moderate risk/problem gambling rates did not vary by deprivation but there was a significant association with Spearhead PCT status. Those living in Spearhead PCTs were 1.9 times more likely to be a problem/at-risk gambler than those who did not (Wardle & Seabury, 2013). The authors concluded that:

“It appears, on this evidence, that whilst those who live in deprived areas may be no more likely to gamble than others, those who do are at greater risk of experiencing some problems with their behaviour. This has the potential to contribute further to health inequalities already known to exist in these [Spearhead PCT] areas” (Wardle & Seabury, 2013).

Finally, similar results were found among a survey of people who played machines in bookmakers and held a loyalty card holder for one of three bookmakers (Wardle et al, 2014). This study showed that whilst the number of gambling activities undertaken did not vary by deprivation, those living in more deprived areas had higher rates of problem gambling than those living in less deprived areas (Wardle et al, 2014). This study concluded that even though loyalty card holders come from:

“more economically constrained backgrounds than machine players as a whole, there is a distinct social gradient evident within this group. [Loyalty card customers] who have low incomes, live in deprived areas, and are economically inactive gamble on machines more frequently and are more likely to experience gambling problems” (Wardle et al, 2014).

In Britain, there has been some consideration of the distribution of gambling venues and area characteristics, including deprivation. These studies have focused on the distribution of machines (Wardle et al, 2013) and the distribution of bookmakers (Astbury & Thurstain-Goodwin, 2015). The first study looked at the distribution of all types of gambling machines in

²⁶ This is based on new analysis conducted for this report, see Appendix A for tables.

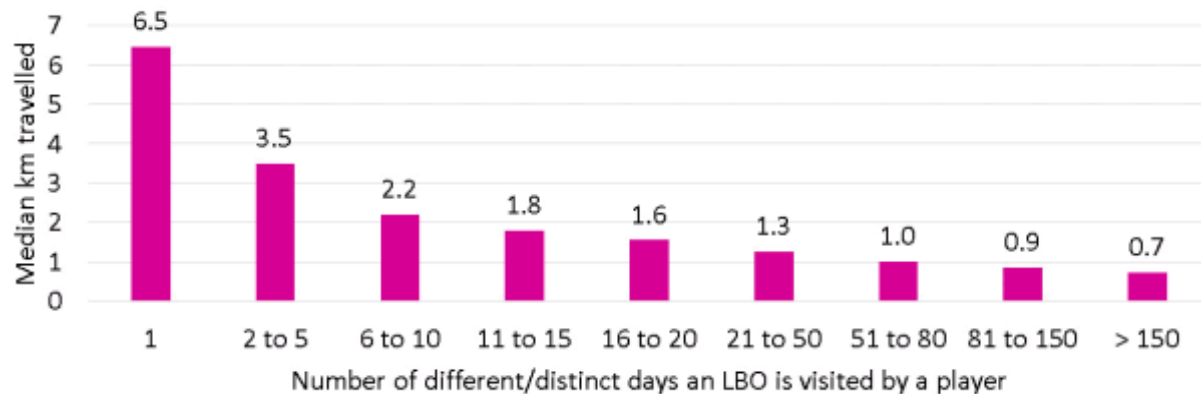
Great Britain and identified areas of high density machines. These high density machine zones had higher deprivation scores than other areas. Likewise similar analysis was conducted looking at the profile of areas where Licensed Bookmakers Offices (LBOs) were located. Analysis also showed that areas with LBOs had higher deprivation scores than areas either with no LBO or in urban areas generally.

These two studies showed the unequal distribution of machines and LBOs in Great Britain, being disproportionately placed in areas of greater deprivation. Furthermore, Astbury & Thurstain-Goodwin (2015) also highlighted how LBOs, typically, serve local markets, with the most regular customers residing locally to the LBO in which they gamble. Using data from loyalty card records, they compared where someone lives with location of the LBOs in which they gambled and concluded that:

“an estimated 8% of loyalty card players sampled live within 400m of an LBO where they have played a machine, nationally. 23% live within 1km, and 46% live within 3km, suggesting quite local choices being made and a typical pattern of accessibility to goods and services” (Astbury & Thurstain-Goodwin, 2015).

Figure 2, reproduced from Astbury & Thurstain-Goodwin (2015), shows that those people who played machines on 80 or more different days between September 2013 and June 2014 had a median distance travelled from their home to the LBO of less than one kilometre. This indicates that more regular users of machines in LBOs are more likely to be local to the area. This study also concluded that machine players were more likely to live in neighbourhoods with significantly higher deprivation levels than either the national average or the average for urban areas.

Figure 2 Median distance travelled to LBO by frequency of visit



However, not all deprived areas had LBOs and both Wardle et al (2013) and Astbury and Thurstain-Goodwin (2015) have highlighted a range of mechanisms likely to be associated with this. For example, areas of greater deprivation are likely to have cheaper rents, some may have greater footfall being on high street locations, and also serve a population more traditionally interested in the products that LBOs offer.

Similar patterns have been identified in other jurisdictions, such as Canada and New Zealand. In Canada, two studies reported a positive relationship between access to video lottery terminals (gambling machines) and areas of increased socio-economic disadvantage (Robitaille & Herjean, 2008; Gilliland & Ross, 2005). In New Zealand, a recent assessment of increases in gambling-related harms during the financial crisis concluded that this increase was disproportionately higher among those in deprived areas (Tu et al, 2014). The authors concluded that poorer financial resilience, combined with financial stressors and an unequal distribution of gambling opportunities, with gambling being more available in deprived areas, were likely explanations for this result.

Summary

Evidence from a range of surveys has shown that those living in more deprived areas, measured either through IMD or other indicators like Spearhead PCT, are more likely to experience problems with their gambling behaviour. This is despite having roughly similar levels of past year gambling participation to those who live in less deprived areas. According to Orford et al (2010), one explanation for this might be that those living in deprived areas who gamble do so more often than others. Looking at the distribution of machines and LBOs, there is clear and consistent evidence of a spatial skew, whereby high density machine zones or areas with LBOs are more deprived than others. Whilst a range of reasons may explain this distribution, the unequal pattern remains.

As with other public health areas there is evidence that, when it comes to gambling-related problems, local areas and communities matter as there are inequalities in outcomes by area deprivation in Britain. This is observed in other jurisdictions and so is consistent across time and space, though the mechanisms underpinning this relationship need further consideration.

Other groups/people

Stakeholder perspectives

There were some groups/people that one or two stakeholders mentioned as being potentially vulnerable to gambling-related harm. These were:

- women,
- older people,
- prisoners/those on probation,
- existing problem gamblers and,
- those with certain psychological or personality traits.

With regard to women, there was disagreement among stakeholders as to whether this group were vulnerable to harm or not. Those arguing in favour did so because they believed women were increasingly accessing gambling in greater numbers. In their minds, this made women today more vulnerable to harm than previously. In this way, their 'vulnerability' was defined as a consequence of the changing role of gambling in society, where women were encouraged to take part in gambling activity. Others, however, did not think that women were more vulnerable than other groups and felt uncomfortable labelling a broad cross section of society as vulnerable.

Stakeholders who mentioned older people drew on similar logic to those for women, arguing that changes in the way that gambling was provided in Britain meant that older people may be more vulnerable to gambling as a function of increased participation. Some also noted that older people are more likely to be on fixed incomes and may have less resilience to financial difficulties.

Some stakeholders argued that prisoners and those on probation could be especially vulnerable to gambling harm. It was argued that this was because of the gambling culture that exists within prisons which may last beyond custodial sentences and impact on those on probation.

One stakeholder (and one of the peer reviewers) felt that those who are existing problem gamblers could also be considered vulnerable to harm. This was because some people could currently be experiencing acute harms because of their ongoing problems and/or could be vulnerable to experiencing harm at a future point because of the dynamic way gambling problems can fluctuate over time.

Finally, one groups of stakeholders (industry) thought that those with certain personality types could be vulnerable. This was viewed as just one aspect of vulnerability, alongside cultural explanations, factors relating to resources and those relating to life event and transitions.

A key theme cutting across the articulation of women, older people and prisoners as vulnerable was that of social isolation. When asked to describe what they thought made these groups vulnerable, stakeholders described a range of socially isolated individuals. This included the single mother looking for a distraction from the pressures of family life, or engaging in online gambling as a way to connect with others; older people who were lonely or had experienced bereavement, and those on probation who may experience difficulties reintegrating into society, with gambling offering a way to be with others. In this way, it was not necessarily the characteristic of the group (women, older people, prisoners) who were perceived as vulnerable but rather their life experiences, events and transitions that contributed towards vulnerability.

Definitions/context

With regards to women and older people, there was a view that these groups were gambling more and therefore more likely to be vulnerable to harm. With regards to women, this followed the concept of the 'feminisation' of gambling put forward by the Australian Productivity Commission (APA, 1999). This posits that more women gambling means more women experiencing problems. It sees a fairly linear relationship between gambling participation and the experience of harm. It does not consider the broader range of context and mechanisms that could mediate this relationship. Stakeholders articulated similar views with respect to older people.

Some stakeholders described those on probation or prisoners as vulnerable to harm. Probation can mean two different circumstances, either those with a commuted custodial sentence or those released from a custodial sentence. Stakeholders were thinking about the latter.

With regards to problem gamblers, it is increasingly recognised that behaviours can be very variable over time and that stasis is not the norm (Reith & Dobbie, 2013). Problem gamblers who seek treatment often 'relapse' and can move in and out of problem gambling experience. This dynamic movement in behaviour and fluidity of gambling patterns needs to be recognised as problem gamblers are not necessarily a clearly identifiable or stable group. This point is often missed. Broad stability in overall problem gambling prevalence rates (Wardle et al, 2014) can mask movement in and out of problems over time among different people.

Finally, there has been great deal of research that focuses on the links of certain personality traits with gambling behaviour. This tends to either focus on the relationship between the individual and the activity during the gambling experience or on the personality traits of problem gamblers. Because of the wide body of research undertaken in this area, this report focuses on summarising findings from previous reviews and meta-analysis.

Evidence

Women

Internationally, there is limited evidence supporting 'feminisation' of gambling. Studies in Sweden and the USA have found little support that either more women are now gambling than previously and that more women are now experiencing problems (Svensson et al, 2011; Volberg, 2003). Detailed analysis of this in Britain (using the BGPS series) concluded that there are some changes in gambling behaviour but outcomes differ for different age cohorts of women (Wardle, 2015). Among older women, aged 55 and over, there was a clear pattern of increasing gambling engagement. However, there was no evidence of them experiencing greater problems than previously.

Among younger women, aged 16-24, there was also evidence of increased engagement in gambling. Specifically, those aged 16-21 started to gamble at a much younger age than older age cohorts and there was some evidence of increasing problems. It was speculated that those aged 16-21, as the generation growing up in the aftermath of the Gambling Act 2005 and who were 'digital natives', may be more influenced by these changes than earlier cohorts of the same age (Wardle, 2015).

Commensurate with the views of some stakeholders, other evidence has highlighted that some groups of women do indeed use internet gambling to escape from problems and to connect with others and this could be problematic for some (Corney & Davis, 2010).

Older people

There is limited evidence about the gambling experiences of older people in Britain. The BGPS series has consistently shown that older people (aged 65 and over) have lower gambling participation rates and tend to take part in fewer activities than their younger counterparts, though they do gamble more regularly on the activities they engage with (Wardle et al, 2011). Rates of at-risk and problem gambling are lower among this age group also. Evidence among women, showed that those aged 55 and over had the greatest increases in gambling participation between 1999 and 2010 though there was no commensurate increase in gambling problems (Wardle, 2015).

Internationally, there is a small but emerging evidence base about the gambling experiences of older adults. A recent systematic review documented the inconsistencies in the evidence base relating to older adults experiences of gambling, though typically showed that rates of gambling among older people were lower than younger people (Tse et al, 2012). This overview highlighted both negative and positive consequences of gambling in older age. For example,

some studies showed the older adults gambled because of a desire to be with other people. The authors suggested:

“that gambling may offer a form of natural social support for older adults and that social isolation or loneliness may make older adults vulnerable to higher levels of participation in gambling” (Tse et al, 2012).

The authors also highlighted:

“that most of the studies on older adults’ gambling mainly examine adverse health consequences of gambling and associated risk factors. This skewed view may be limited in its ability to suggest meaningful protective factors within the context of productive aging” (Tse et al, 2012).

In short, there is a need to better explore the why older people gamble, under what circumstances and how and why behaviours and outcomes vary for different groups of people.

Prisoners/probation

With regard to prisoners there is a small but growing body of international evidence showing that rates of problem gambling among incarcerated populations are significantly higher than those of other adults. Exploratory evidence from pilot studies in England showed that 10% of male prisoners and 6% of female prisoners reported being problem gamblers prior to incarceration. A further 37% of male and 23% of female prisoners were identified as at-risk gamblers prior to their prison sentence. These rates are significantly higher than those observed for adults in the general population (May-Chahal et al, 2012). International studies have reported similar findings, a prevalence survey of prisoners in Hamburg found that 7% of pre-trial detainees screened positively for gambling problems (Zurhold et al, 2014). In New Zealand, 16% of recently sentenced inmates were identified as probable pathological gamblers in the six months prior to imprisonment (Abbott et al, 2005) whereas in Canada, 27% of offenders in one institution reported some degree of problem with gambling (Turner et al, 2008).

These studies have tended to focus on the prevalence of problem gambling prior to imprisonment, rather than problems experienced whilst in prison. One Canadian study specifically looked at this, showing that half of those who had problems with gambling prior to incarceration continued to gamble and experience problems whilst in prison (Turner et al, 2013). As McEvoy and Spirgen (2012) note, there is lack of research on prisoners’ experience of gambling whilst incarcerated, how this is organised, and the risks associated with it.

Their exploratory study of inmates in Ohio demonstrated that gambling was a normative way of prison life, with many engaging and continuing to engage in gambling. This highlights a dual relationship between incarcerated populations and gambling. Problem gambling rates are elevated among those who subsequently go to prison, but gambling is also an endemic part of prison life that may encourage some problem gamblers to continue to engage or promote gambling among those who previously did not gamble.

One stakeholder felt that those on parole or probation could be especially vulnerable because of these dual processes. This was because they may have had problems previously and not received help, or because of the gambling culture within prisons created problems. Once out of prison, it was argued that this group may be socially excluded and stigmatised, have low incomes and look to gambling to relieve such stressors.

There is very little empirical evidence examining this. May-Chahal et al (2012) cite a study by Ricketts et al (2000) showing that of offenders on probation in South Yorkshire, 4.2% were problem gamblers. This was the only citation identified in the QSR looking at the experiences of gambling among those on probation. However, as early as 1988, this was identified as an issue with Bisset and Crate-Lionel (1988) reporting their efforts at Glen Parva (England) Youth Correctional Facility to engage parole officers in issues relating to problem gambling among youth.

Problem gamblers/those seeking treatment

With regard to problem gamblers, our literature search focused on the experiences of those receiving treatment. It was taken as given that those currently experiencing problems would also be experiencing harm and therefore should be considered vulnerable. To extend this, we sought to examine the extent to which those who were seeking help for gambling problems could also be considered a vulnerable group.

A few international studies have examined the experiences of those in treatment and their outcomes post-treatment. These studies looked at experiences of 'recovery' and 'relapse' either during or after treatment. No studies were identified that looked at these issues among those receiving treatment in Britain.

Before considering what the evidence says, it is worth noting that there are various perspectives about what 'recovery' from problem gambling and 'relapse' means (Ledgerwood & Petry, 2006). Nower and Blaszczynski (2008) specifically recognised this complexity and argued that the concept of recovery was imprecise. They argued that recovery should be viewed as any kind of movement along a spectrum of improvement.

This highlights that recovery from problem gambling is not, in the views of some, synonymous with abstinence from gambling. Approaches to treatment vary from total abstinence to allowing the gambler to re-engage in a controlled way. Processes of 'natural recovery' have also been noted, whereby the gambler is able to change and moderate their own behaviour without need for outside assistance. Whilst there is some literature on the success (or otherwise) of treatment, what is largely missing from the studies identified is clear articulation of intended treatment outcomes, making synthesis of this evidence base difficult (Ledgerwood & Petry, 2006). Furthermore, concepts of 'relapse' have been borrowed from substance use literature and it is not clear that 'relapse' has the same meaning in the context of gambling treatment. However, in the absence of a broader evidence base, the literature on gambling treatment and 'relapse' has been reviewed.

This small body of evidence shows high rates of 'relapse' among those receiving treatment. Few studies have attempted to quantify rates of 'relapse' and most are based on small samples making estimation potentially unreliable. A common theme, however, is that despite differences in the definition of 'relapse' and study methodologies, most participants experienced some form of 'relapse' after treatment (Oaks et al, 2012). In one study, the 'relapse' rate was as high as 92% (Hodgins & el-Guebaly, 2004). Ledgerwood & Petry (2006) have noted the lack of empirical base upon which to assess rates of 'relapse' but also highlighted parallels with alcohol and drug treatment and argued that the evidence available to date is consistent with broader knowledge from these areas.

A few studies have examined reasons for 'relapse' among problem gamblers and have highlighted the "*complex interplay between factors integral to predicting a relapse event*" (Smith et al, 2015) or stated that:

"relapse is a complex, non-linear process involving factors that together can increase a gambler's vulnerability to relapse" (Oaks et al, 2012).

Reasons given for 'relapse' ranged from a variety of individual, personal and environmental features which interacted with each other. The urge to gamble has been highlighted as particularly important by a few studies, with the urge being triggered either internally (for example, through depression or mood variance) or externally (for example, as a response to gambling-related cues) (Smith et al, 2015).

Oaks et al (2012) conducted qualitative interviews with problem gamblers to examine their reasons for 'relapse'. Along with negative states and emotions, financial difficulties and boredom, environmental triggers such as gambling accessibility and visual gambling cues (ranging from advertising to the venues themselves) were highlighted as factors which push people towards 'relapse'. This is supported by work from Hodgins and el-Guebaly (2004) who

argued that social and situational cues in the environment were part of the explanation for 'relapse' (alongside others). Smith et al (2015) and Oei & Gordon (2008) discussed the relevance of gambling urges as an explanatory factor in 'relapse', with gambling urges being associated with both relapse and continuation of gambling. Finally, a longitudinal study of gambling behaviour among men, where data was collected and compared over 10 years, found that the strongest predictor of past year gambling problems was a history of past gambling problems, demonstrating the potentially recurring nature of gambling problems for some (Scherrer et al, 2007).

Personality traits/cognitive distortions

A few studies have examined the strength of evidence between certain personality traits and problem gambling. First, Johansson et al (2009) conducted a critical literature review looking at the factors associated with problematic gambling, including cognitive distortions. In this review risk factors with three or more empirically validated studies were deemed to be well established. Cognitive distortions, which included erroneous perceptions of gambling and illusion of control, were classified as well established risk factors for problem gambling. Odlaug & Chamberlain (2014), in a selective literature review of personality dimensions and problem gambling, noted that personality traits, such as impulsivity, were associated with gambling problems. However, in relation to impulsivity they also stated:

“our understanding of the association between impulsivity and the development and maintenance of GD [gambling disorder]... is further complicated by research involving self-reported impulsivity, gender, environmental factors (such as socioeconomic status), and age of onset of gambling problems” (Odlaug & Chamberlain, 2014).

In a broader review, Odlaug et al (2013) highlighted evidence showing that impulsivity is a key personality trait of pathological gamblers but also stated this could be mediated through a variety of other factors. They also noted that pathological gamblers experience a range of other personality disorders. Different types of impulsivity were considered by MacLaren et al (2011) in a meta-analysis. These were negative urgency (rash and emotionally motivated action); low premeditation (action without consideration of consequences); low perseverance (quick extinction of non-rewarded behaviour) and excitement seeking (action that results in sensory stimulation or arousal). They concluded that negative urgency and low premeditation were elevated among problem gamblers but that low perseverance and excitement seeking were not.

Summary

In summary, there is little evidence that women as a whole represent a group vulnerable to the experience of gambling-related harm, though there is some emerging evidence that the younger females may be experiencing gambling differently to older cohorts. There is some plausible evidence that certain groups of women may be using some forms of gambling to relieve stress and make social connections, the broader impact of this should be monitored.

Evidence about older people is mixed, though theories about social isolation and the intersection with life events are plausible. However, some researchers note that gambling could be a social benefit to some older people. If so, the circumstances under which this holds true need investigating. Finally, there is some evidence that prison populations are vulnerable to gambling problems, both pre-dating incarceration and whilst imprisoned. There is a single British study suggesting that those on probation continue to be vulnerable to gambling problems, and reasoning given by stakeholders as to why this is seems plausible.

With regards to problem gamblers, it seems self-evident that those who are currently experiencing problems will be vulnerable to harm. Indeed all stakeholders felt that problem gamblers would be experiencing harm to some degree, whether they recognise this or not. Literature relating to a further group of problem gamblers, those in treatment or post treatment, was also considered. Although the evidence base is slim and fraught with definition difficulties, findings suggest a high degree of 'relapse' post-treatment with reasons for relapse including environmental cues alongside other individual and personal explanations. This is consistent with knowledge from alcohol and drug studies where the evidence base is more advanced.

Finally, there is a strong body of evidence highlighting the relationship between various personality traits, such as cognitive distortions or impulsivity, with problem gambling. However, little research has been conducted to explore the complex interaction of personality traits with other factors and their combined influence on the experience of broader gambling harms. Certain personality traits and/or cognitive distortions are just one potential aspect of vulnerability which is likely to intersect and be mediated by a range of other factors.

4 Key themes

Policy context

- In Great Britain, there is a changing gambling policy and regulatory environment which has increased focus on risk. This new focus has been written into the Gambling Commission's updated Licensing Conditions and Codes of Practice and is highlighted in their advice to Local Authorities, stressing the need to build local area profiles into their Statements of Licensing Policy.
- Understanding local risk, local profiles and local circumstances and, based on this knowledge, taking appropriate steps to mitigate risk, are key components of this approach to regulation.
- Policy is also becoming more focused on understanding and mitigating gambling-related harm, rather than focusing on problem gambling alone. Other jurisdictions are taking similar approaches, though the research world has been slow to adopt this broader focus.
- Under the terms of the Gambling Act 2005, children and vulnerable people were singled out for special regulatory attention. Academics have supported focus on understanding the impact of gambling upon vulnerable groups. However, who is vulnerable, why and under what circumstances, has been subject to little investigation.

This study

- Through consultation interviews with key stakeholders and review of research literature, this study aimed to explore and document the range of characteristics that suggest that someone may be vulnerable to harm from gambling.
- Given increasing policy emphasis on risk, harm and vulnerability, this study also sought to understand how different stakeholders define these terms, particularly in relation to the development of local risk profiles, and to briefly consider issues relating to standards of evidence.

What is harm?

- Among stakeholders, there was a broad consensus that gambling-related harm meant adverse consequences arising from someone's gambling engagement that could affect the individual, their family, friends, broader social network or community.

- It was felt that these consequences could be short-lived or exist over a broader time frame. A person did not have to gamble themselves to be harmed by gambling. Harms could range in severity, for example ranging from arguments with partners to relationship breakdown.
- Most stakeholders argued that people did not have to be problem gamblers to experience harm, though stakeholders felt that most problem gamblers would experience some kind of harm.
- Harm was typically felt to arise when someone spent too much time or too much money gambling.
- Stakeholders also argued that the experience of gambling-related harm is subjective, as the range and depth of harmful consequences depends on the personal circumstances of the individual and those around them. This makes predicting who will experience harm challenging. As such, taking a probabilistic approach, thinking about who is **more likely** to experience harm given what we know about them, was recommended.

Who is vulnerable to gambling-related harm?

- Some stakeholders felt that anyone could be vulnerable to gambling-related harm and that vulnerability was also subjective as it depended on a range of other circumstances.
- With the growing focus on risk assessment, it was recognised by stakeholders that identifying which groups might be considered more vulnerable or more susceptible was useful.
- Stakeholders identified youth, students, those with mental health problems, substance use/misuse issues, learning difficulties, certain ethnic groups, migrants, the homeless, those with constrained economic circumstances or living in deprived areas, prisoners, older people, those with certain personality traits and women as potentially vulnerable to harm. Problem gamblers were considered vulnerable as they were already experiencing harm.
- There is good evidence to support youth, those with substance abuse/misuse/excessive alcohol consumption, poorer mental health, those living in deprived areas, from certain ethnic groups, those with low IQs, those with certain personality traits and those who are unemployed as being potentially more vulnerable to harm.
- The evidence base was skewed towards comparisons of gambling, and problem gambling, prevalence rates by these characteristics and there was very little insight explaining the resulting associations. This likely masks some important and reciprocal relationships. For example, looking at mental health and gambling harm, it was uncertain whether gambling caused mental health problems or mental health problems

caused gambling harm. In reality, the relationship is likely to be much more fluid. As one stakeholder argued, it's likely to be a bit of both and insofar as that is true, then these groups should be considered potentially vulnerable.

- There is a smaller but emerging evidence base suggesting that homeless people, those experiencing financial difficulties and debt, and some youth with learning difficulties/disabilities may be also be vulnerable groups.
- There is some evidence to suggest that problem gamblers seeking treatment or who are attempting to overcome their problems are vulnerable to harm, for example through relapse. There is a small evidence base suggesting that a range of reasons contribute to relapse, including personal, social and environmental factors. This is consistent with evidence from similar areas, like alcohol or drug problems.
- Patterns of evidence relating to students, low educational attainment and low income were inconsistent, though the latter may serve as a proxy for financial difficulties which cannot be so easily identified at a local level. Evidence relating to migrants was sparse, though the rationale for viewing this group as vulnerable was plausible.

Important considerations

- When thinking about who may be vulnerable to gambling harm, a probabilistic approach needs to be taken. The personal circumstances of each individual are not known. Therefore, broader generalisations have to be made. The groups listed above do not mean that everyone with those characteristics **will** experience harm rather that based on these characteristics there is an increased risk that they **may** experience harm. This is the central tenet of a risk-based approach to policy and regulation.
- Who is vulnerable and why is likely to vary based on broader political, social and economic changes. For example, students may become more vulnerable now than in the past because of changes to their financial circumstances. This needs to be considered and reviewed.
- There are likely to be a number of cross cutting themes which help explain why some groups are vulnerable to harm. Social isolation was one theme that emerged from stakeholder interviews and applied to many of the groups mentioned (prisoners, homeless, older people, certain groups of women).
- We should not think about groups of vulnerable people as silos. There are likely to be multiple and complex risk factors for harm. For example, youths who are doing badly at school, have learning difficulties, who live in more deprived areas or in households with relative poverty may be more at risk of gambling harms because of the existence of

these multiple risk factors. This has been little explored in gambling research. A growing focus on multiple risk factors would mirror a similar focus in other public health areas.

- If thinking is to focus on risk and therefore which groups are potentially more vulnerable, there is a need to consider what 'more' means and who is being compared. In some cases, vulnerability is defined in contrast to other groups (older vs younger; more vs less deprived). However, vulnerability can also be defined in comparison to previous behaviour (i.e., are women more vulnerable now than previously?). Both methods of comparison are valid, with the latter helping to identify where broader shifts and changes may be occurring.

Limitations

- This review is constrained by existing evidence. A solid evidential base looking at broader gambling-related harms has yet to be developed. Therefore, evidence from the scoping reviews relies on studies looking at problem and at-risk gambling. This is not the same as gambling-related harm and therefore some groups or themes may have been missed.
- Because of the evidential focus on problem and at-risk gambling, this review is skewed towards looking at the characteristics of individuals who may experience harm, rather than the families and friends of those who may also be affected. As the evidence base relating to harm develops, the findings in this report should be reviewed, as should the groups identified as vulnerable to harm, though this study brings together the key themes for the first time in a single report that is accessible by all.
- This study used a quick scoping review methodology. There may be other evidence that was not identified in our quick scoping searches. This report is intended to highlight and map the range of studies on each area and to identify some broad themes; it does not claim to be comprehensive, though we are confident we have considered most relevant British-based studies.

Next steps

- The next steps for this project are to take the main findings from this report and to identify relevant local level data relating to the characteristics of potentially vulnerable people identified. Using this data, we will then explore visualising places where the potential for gambling-related harm is greater based on the profile of the local area.

- Specifically, this means taking those characteristics shown to have strong evidential support and/or strong logical inference and exploring what kinds of data exist to show whether these types of people are present in a local area or not.
- Once data has been reviewed, we will then explore how to model this data at low level geographies. The resulting model will be based on those characteristics with an evidence base to support inclusion **and** which have good quality local data.
- Because of the focus on research evidence on gambling problems, we recognise that our models are likely to show those vulnerable to problems rather than harms in the broader sense. However, since this is the first time this has been attempted in Great Britain, we consider this to be a useful and valid starting point, though we would recommend that the models are revisited if and when more evidence becomes available.
- This next phase of our research is due to be published in summer 2015. This work will highlight the technical and practical challenges of producing local area risk profiles and discuss other relevant issues when thinking about local risks to gambling-related harm.

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Appendix A: New analysis for this report – tables

Table A1 Prevalence of past year gambling and problem gambling, by mental health and substance use					
<i>Source: Adult Psychiatric Morbidity Survey 2007</i>					
Condition	Past year gambling prevalence	Problem gambling prevalence	Odds ratio (OR) of being a problem gambler*	Confidence interval for OR (lower)	Confidence interval for OR (lower)
	%	%	OR		
All adults	66	0.7			
Mixed anxiety and depressive disorder	65	1.5	2.6	1.0	2.0
General anxiety disorder	61	2.8	5.5	2.1	14.5
Depressive episodes	61	1.8	2.6	0.8	8.9
Phobias	56	4.4	8.2	2.5	27.6
Obsessive Compulsive Disorder	58	3.5	5.3	1.3	22.0
Panic disorder	71	3.7	6.0	1.4	25.1
Eating disorder	68	1.9	4.7	1.7	12.8
Probable psychosis	43	6.0	8.0	1.1	61.5
Attention Deficit Hyperactivity Disorder:					
Score 0 to 1	66	0.4	1		
Score 2 to 3	65	0.9	2.3	1.0	5.5
Score 4 or more	67	2.2	5.0	2.0	12.4
Post-Traumatic Stress Disorder	66	3.1	4.6	1.4	14.7
Current cigarette smoker	71	1.2	0.6	0.3	1.3
Alcohol consumption:					
Non-hazardous alcohol consumption	64	0.5	1		
Hazardous but not dependent	74	1.3	1.9	0.7	5.5
Alcohol dependent	76	2.2	3.2	1.3	7.8
Drug dependent	70	3.8	4.4	1.6	12.1

*The regression models run included each condition separately with age, sex, income and deprivation also entered into the models as controls.

Table A2 Prevalence of problem and at-risk gambling, by sources of credit and debt			
<i>Source: Adult Psychiatric Morbidity Survey 2007</i>			
Sources of credit and debt	Non-problem gambling %	At-risk gambling %	Problem gambling %
All adults	96.8	2.5	0.7
Borrowed from money lender or pawn broker	93.5	5.0	1.5
Borrowed money from friends	91.6	5.2	3.2
Borrowed money from family	92.7	5.6	1.7
Borrowed money from any source	92.7	5.6	1.7
In debt	93.4	5.0	1.6

Table A3 Odds ratio of problem gambling by borrowing from money lender or pawn broker			
<i>Source: Adult Psychiatric Morbidity Survey 2007</i>			
	Odds ratio*	Confidence interval (lower)	Confidence interval (upper)
Did not borrow money	1		
Borrowed from money lender and/or pawn broker	2.2	1.1	4.6

*Regression models included age, sex and income as controls

Table A4 Problem and at-risk gambling among those aged 18-21 by student status			
<i>Source: British Gambling Prevalence Survey 2010</i>			
	Aged 16-24 and in full time education %	Aged 16-24 and not in full time education %	All aged 16-24 %
Problem gambler according to the DSM-IV or the PGSI	0.6	3.3	1.9
At-risk gambler according to the PGSI	20.6	19.9	20.3

*Regression models included age, sex and income as controls

Appendix B: Quick scoping review procedures

A number of quick scoping reviews were undertaken for this report. These included searches for literature relating to:

- Gambling and harm
- Gambling and vulnerable people/adults
- Gambling and young people/adults/youth/adolescents
- Gambling and students
- Gambling and deprivation
- Gambling and income
- Gambling and unemployment
- Gambling and mental health
- Gambling and alcohol/drugs/substance use
- Gambling and migrants/immigrant
- Gambling and learning disabilities/difficulties/IQ
- Gambling and ethnicity/Asian British/Chinese
- Gambling and homeless

A quick scoping review aims to broadly map the available literature on a topic but is produced under constrained circumstances. Given time and resource constraints, the following restrictions apply to the search strategy used for this project:

- 1) A limited number of databases were searched: these were PubMed, Google Scholar and the University of Glasgow's Advance Serial Solution search database.
- 2) The searches were limited to look for evidence where the terms appeared in the title or abstract of the article only.
- 3) A limited number of search iterations using related terms were made.

Therefore, it is acknowledged that the evidence reviews presented here may not be comprehensive and may have missed some literature. In order to make the number of articles reviewed more manageable, an order of preference was applied to the resultant searches:

- a) Those that were based on evidence generated from the UK were all reviewed
- b) Those that were recent systematic reviews (i.e. from 2005 onwards) of literature were reviewed
- c) Those that were empirical evidence from other Western countries were shortlisted and the abstract reviewed to assess potential contribution.

With regards to C, those studies which presented empirical evidence (either quantitative or qualitative) using sound and appropriate methods (i.e., random probability sampling with good base sizes) were shortlisted for further review. A number of studies were rejected because they used purposive sampling methods or had sample sizes too small for meaningful statistical inference (for a discussion of the importance of this, see Disley et al, 2011). Some qualitative studies were rejected because they reported findings numerically rather than thematically.

In some cases, there was a breadth of literature available (such as gambling and youth) and therefore the evidence presented in this report discusses results from a and b only. In others, such as the literature around gambling and homeless people, evidence from all three shortlisting strategies is presented. This was to attempt to make the process more manageable within the time available for this project (approximately 10 weeks). We acknowledge this means there may be some gaps in this review.

Appendix C: Consultation interviews

Consultation interviews were conducted with the following stakeholder groups:

- Academics
- Industry
- Treatment providers
- Policy makers
- Legal professionals

Two formats of interviews were used, either one to one semi-structured interviews or semi-structured workshops. For both, the same content was covered (see Appendix D for the example topic guide). All interviews/workshops were conducted between March 2015 and May 2015.

For both interviews and workshops, the procedure was the same – the purpose and background of the project was explained along with the format of the session. It was explained that all interviews were confidential and results would not be reported in a way that could identify individuals. Permission was asked to record each session and once permission was granted the interview began. One to one interviews lasted between 30 minutes to 1 hour on average, whereas workshops lasted between 1 hour to 1 hour and 45 mins.

The table below shows the number of participants within each stakeholder group by format type.

Stakeholder group	One to One interviews	Workshops
Academic	4	
Policy	4	
Industry		3 (14 participants)
Treatment		2 (10 participants)
Legal	6	

Interviews were not transcribed but notes and quotes from interviews entered directly into the data management system. Data management was undertaken using Framework (Ritchie & Lewis, 2003), a systematic approach to qualitative data management that was developed by NatCen Social Research and is widely used in social policy research. Framework is a matrix

approach where data is summarised into cells with the row representing an individual case and a column representing a common theme across the data set. The advantage of this approach is that it facilitates the analysis of different aspects of an individual's views as well as enabling analysis of particular themes across different cases. It is this thematic analysis which is presented in this report.

Appendix D: Topic guide

Topic guide for Gambling Vulnerability Index consultation

17.03.2015

Introduction

Introduce myself and purpose of the study:

- Looking at the evidence base about the relationship between gambling-related harm and vulnerable population groups
- Aims to look at areas where more vulnerable people may be and to display them visually - this is regardless of whether gambling venues currently exist in those areas.
- But recognise there is a need for more clarity around who and what we mean
- Therefore consulting key stakeholders to understand more about what they think gambling-related harm means, for whom and under what circumstances. Also gain insight into who stakeholders think might be vulnerable to harm and what they are basing this opinion on.
- Seeking to explore differences between stakeholder groups to look for points of agreement and points of disagreement.

Practicalities:

- Consent to participate
- Assurance of confidentiality
- Consent to record
- Should take about 20-30 mins

Gambling related-harm

- Ask what the term gambling-related harm means to the stakeholder? *Probe: What else?*
- How does this differ from problem gambling?
- Do these differences matter? In what way?
- What different types of harms arise from gambling?
- *Probe: Why do you think that?*
- Who do these different harms effect?
- How might 'harms' vary from person to person?
- Over what time frame might harm be experienced?
- What are they basing these thoughts on? What evidence?

Vulnerable people

- What does the term 'vulnerable people' mean to the stakeholder? What types of groups do they think about?

Think in a generic sense first

- Who might be vulnerable to gambling-harm? Which groups specifically?
- *Probe: Why?*
- Is this different to groups who are vulnerable to gambling problems?
- Which groups do you think are **most** vulnerable to harm?
- *Probe: Why is that? What evidence is this based on?*
- How do you think the characteristics of who is vulnerable have changed over the last 10 years?
- How would you identify vulnerability and what measures might you use to protect people?

Evidence and legislation

- When it comes to licensing/policy decisions, what counts as evidence?
- In what ways is evidence used?
- Is there a hierarchy of evidence? Is this right?
- If there is a conflict between the aim to permit and protection of vulnerable people, which takes precedence? Which should take precedence and why? Under what circumstances?

Anything else?

- Anything else they would like to add on this topic?

End

- Thanks for participation
- Reassure about confidentiality



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