

Aberdeen City Licensing Board

Gambling Act 2005

Local Area Profile

1. Introduction

This Local Area Profile has been developed to assist gambling operators to assess 'local risks' when applying for a premises licence. The aim of the profile is to allow appropriate steps to be taken to mitigate any identified risk.

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

Aberdeen City Licensing Board is a Licensing Authority under the Gambling Act 2005 (the Act). The Licensing Authority is responsible for considering and determining applications for premises licences which offer gambling facilities within Aberdeen.

The Licensing Authority will set out how it intends to carry out its functions under the Act in its Statement of Licensing Principles, also known as Gambling Act 2005 Statement of Licensing Policy. This statement is kept under review and is updated every three years (as a minimum) and can viewed on the Board's website at <https://www.aberdeencity.gov.uk/services/business-and-licensing/licences-and-permits/gambling-act-2005>

The Gambling Commission set out guidance for Local Authorities and have developed Codes of Practice including social responsibility codes for operators. These codes are essential in ensuring that gambling operators promote the licensing objectives as set out by the Act.

From April 2016, all operators are required to undertake local area risk assessments to consider what risk gambling venues pose to the licensing objectives, including the protection of young and vulnerable people and are required to have in place appropriate policies and procedures to mitigate these risks.

2. Risk Assessments

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

New Premises Licence applications

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

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

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

In any circumstance where it is necessary to update and amend the existing risk assessment the operator will need to ensure that their assessments are updated appropriately and that any relevant control measures are introduced accordingly. It may be the case however, that following a review no action is necessary as the measures and systems already in place will mitigate any risk associated with that significant change. In these circumstances gambling operators may record that a review has been undertaken, the reasons for it, and that no action was necessary. This would enable the gambling operator to maintain an appropriate audit trail.

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

- **Premises where significant changes occur**

From time to time operators will undertake minor alterations to a premises' layout and décor, which is unlikely to prompt a review of the risk assessment for that premises. However, where there is a significant change at the premises that may affect the mitigation of local risks, then an operator must review its risk assessment and if necessary, update it, taking into account the change and how it may affect one or more of the licensing objectives.

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

- **Variation to the Premises Licence**

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

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

- **Regular reviews of the risk assessment**

As a matter of best practice the Board recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.

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

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

- **Writing a Risk Assessment**

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

There are two specific parts to the risk assessment process:

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

The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

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

- **Local Area**

The assessor may wish to make use of local area data from the Aberdeen City Licensing Board's interactive map

<http://accabdn.maps.arcgis.com/apps/webappviewer/index.html?id=397aaf4ccf094e0fb0be9ff32fc3930f> to identify potential factors for risk in the area surrounding the premises, along with gathering an understanding of the specific characteristics of the local area, and the people who live and work there. (see section 3 for further details)

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

- The location of services for children, such as schools, playgrounds, leisure/community centres and other areas where children will gather
- Where children are permitted on the premises or part of the premises any additional risks associated with potential access by children to gambling.
- The location of health related services such as hospitals, clinics or health centres. In particular operators should consider any mental health services, services for people with learning disabilities, drug, alcohol or gambling dependency services, or other services for vulnerable groups.
- The demographics of an area in relation to vulnerable groups
- The demographics of the area in relation to notices and guidance that will feature in the premises, specifically whether there is a need to have notices and guidance available in different formats or languages.
- Whether the premises is in an area subject to high levels of crime and disorder and/or anti-social behaviour.
- Whether there are any other gambling premises in the area.
- Whether there are any alcohol licensed premises in the area.
- Any relevant safeguarding factors.
- Local Risk Assessments should show how vulnerable people including people with gambling dependencies are protected

This list is not exhaustive, and operators should include any relevant local risks which they believe may impact on the licensing objectives.

- **Operational Risks**

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

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

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

- **Premises Design**

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

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

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

3. Aberdeen Profile Geographical facts

- **Economy**

Aberdeen is one of the most competitive, innovative and economically productive cities in the UK. Much of the success of Aberdeen has been built on the traditional oil and gas sector; it also has a successful small business economy. Since the end of 2014, the local economy has suffered as a result of the global oil price decline. Business growth is slowing. Workplace-based median gross hourly pay for full-time employees in Aberdeen was £15.33 (2nd highest local authority area in Scotland), compared to the Scottish average of £13.98, and Unemployment levels between July 2017 and June 2018 were 4.3% compared to the Scottish national average of 4.1%. Some of the most affluent areas of Scotland are within Aberdeen City, but equally within the City boundaries are some of Scotland's most deprived areas. Overall, levels of deprivation remain low. In 2016, 3 of the 283 datazones within Aberdeen were considered to be within the 10% most deprived areas in Scotland. Despite low headline deprivation figures, other measures suggest deprivation is a problem almost, between July and September 2017 there was an estimated 12,055 children in Aberdeen and Aberdeenshire living in poverty. 26.9% of children in Aberdeen were living in families with limited resources, compared to 5.3% of children in Aberdeenshire.

- **People**

The population of Aberdeen City has risen sharply over the past decade, and in 2017 was estimated at 228,800. In 2017, 23.9% of the Aberdeen City population was aged 18 to 30, compared to 17.3% of the Scottish population. Aberdeen has historically benefitted from large numbers of students living in the city bolstering this population, but also as a place for young professionals as is the case in many large cities. Our population is projected to grow by 28% by 2037 which is the largest growth of all Scottish local authorities. In 2012 there was 103,934 households in the City; it is projected that by 2037 there will be in excess of

140,000 households. Given the current economic climate and recent political developments, these projections may change. Aberdeen City has a very diverse population, with 15.9% not born in the UK compared to 7% of the population across the country. Children (0-15) make up 15% of Aberdeen's population and education is provided to more than 22,000 pupils. Demand for early learning and childcare is high in Aberdeen City and there is a shortage of available funded provision, with 570 children on the waiting list in October 2014. In July 2014 there were 577 looked after children in Aberdeen City, a rate similar to the national rate. People in Aberdeen are living longer. The over-65s account for another 15% of the population of Aberdeen, and projections are that the population will continue to age. An older population brings many benefits and challenges. Older people are more likely to suffer from multiple and complex care needs, and therefore the demand for all services will shift.

- **Place**

Aberdeen has 37 neighbourhoods. The Scottish Index of Multiple Deprivation (SIMD) is the Scottish Government's official tool for identifying small area concentrations of multiple deprivation across Scotland. The most deprived data zones in Aberdeen City are located in the Torry, Middlefield, Northfield, Seaton, Tillydrone, Woodside, Mastrick, Sheddocksley and George Street neighbourhoods. The City has a healthy expanse of green and open space. Well maintained, attractive and accessible natural spaces bring benefits to the health and wellbeing of people. Three-quarters of Aberdeen City's residents live within a 5 minute walk of the nearest greenspace, with a further 15% within a ten minute walk, and people who live close to local greenspace are likely to visit it. Continued focus on reducing carbon emissions has reaped rewards – a reduction of 1.8 kt CO₂ per capita has been achieved over the past decade. Despite this improvement, air pollution remains a key environmental concern for the Community Planning Partnership. Transport is a major contributor to carbon emissions and in Aberdeen there is an exceptionally high level of car ownership and usage. It is a vicious circle – poor air quality and poor road safety discourages people from walking or cycling, yet reducing reliance on private transport is the best way to improve air quality. As a result of climate change, extreme weather events are becoming more frequent and intense with warmer, wetter winters and drier, hotter summers. Extreme weather events, such as the flooding in Aberdeen in January 2016, disrupt the daily routine of individuals, communities, and organisations. Aberdeen bears 80% of the flood risk within North East Scotland.

The Board have developed an interactive map containing each gambling premises within Aberdeen and the following:

- local education facilities
- drug/alcohol/gambling treatment centres
- community centres
- supported accommodation/hostels
- doctors' surgeries
- places of worship
- play areas
- the local of alcohol licensed premises.

The map can be accessed here

<http://accabdn.maps.arcgis.com/apps/webappviewer/index.html?id=397aaf4ccf094e0fb0be9ff32fc3930f>

This list is not exhaustive, and operators should include any relevant local risks which they believe may impact on the licensing objectives.

It is further recommended that as part of research when writing a risk assessment, analysis of the statistical documents provided by Aberdeen City Council may be useful to operators. The Documents contain information relating to:

- [Population](#)
- [People](#)
- [Census 2011](#)
- [Deprivation](#)
- [Place](#)
- [Economy](#)
- [Aberdeen Key Facts/Behind the Granite](#)
- [Aberdeen City area profiles](#)

and contains statistical information in relation to population, deprivation, quality of life, health and wellbeing, life expectancy, crime, education, social care, housing and ethnicity.

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