



C O U N C I L S U M M O N S

To all Members of Council

You are hereby summoned to attend a

MEETING OF THE COUNCIL

to be held at 2.00 pm on

27 November 2024

in the

**MULTI-LOCATION MEETING - COUNCIL CHAMBER, PORT TALBOT
& MICROSOFT TEAMS**

**ALL MOBILE TELEPHONES TO BE SWITCHED TO SILENT FOR THE
DURATION OF THE MEETING**

Webcasting: This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and/or training purposes.

--- A G E N D A ---

PART A

1. Mayor's Announcements
2. Leader's Announcements
3. Declarations of Interest
4. Minutes of the Previous Meeting/s of Council (Pages 3 - 6)

5. Public Question Time.
Questions must be submitted in writing to Democratic Services democratic.services@npt.gov.uk no later than noon on the working day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.

PART B

6. Annual Presentation from Chief Fire Officer to Council
7. Gambling Acts Policy (Pages 7 - 82)
8. Replacement Local Development Plan- Preferred Strategy 2023-2038 (Pages 83 - 120)

PART C

9. Notice of Motion under Section 10 of Part 4 (Rules of Procedure) the Council's Constitution
10. Questions from Members, with Notice, under Rule 9.2 of the Council's Procedure Rules
11. Urgent Items
Any urgent items at the discretion of the Chairperson pursuant to Section 100BA(6)(b) of the Local Government Act 1972 (as amended).



Chief Executive

**Civic Centre
Port Talbot**

Thursday, 21 November 2024

COUNCIL

(Civic Centre, Port Talbot)

Members Present:

16 October 2024

The Mayor: Councillor M.Crowley

The Deputy Mayor: Councillor W.Carpenter

Councillors: A.R.Aubrey, T.Bowen, C.Clement-Williams, A.Dacey, O.S.Davies, R.Davies, S.E.Freeguard, C.Galsworthy, N.Goldup-John, W.F.Griffiths, J.Hale, M.Harvey, L.Heard, J.Henton, S.K.Hunt, J.Hurley, C.James, N.Jenkins, J.Jones, L.Jones, S.Jones, C.Jordan, S.A.Knoyle, E.V.Latham, C.Lewis, A.Lodwig, K.Morris, D.M.Peters, C.Phillips, S.Pursesey, P.A.Rees, S.Renkes, A.J.Richards, P.D.Richards, P.Rogers, D.Whitelock, C.Williams, L.Williams, R.W.Wood and B.Woolford

Officers in Attendance: S.Curran, N.Daniel, C.Furlow-Harris, C.Griffiths, H.Jones, K.Jones, N.Pearce, M.Shaw, A.Thomas, A.Thomas and J.Woodman-Ralph

1. **Mayor's Announcements**

The Mayor welcomed everyone to the meeting.

2. **Leader's Announcements**

There were none.

3. **Declarations of Interest**

There were no interests declared.

4. **Minutes of the Previous Meetings of Council**

RESOLVED: that the minutes of the previous meeting of Council be approved as an accurate record.

5. **Public Question Time.**

There were none.

6. **Update to Constitution to reflect Joint Working Arrangements**

Council received the report, requesting to update the Constitution of Neath Port Talbot County Borough Council in respect of joint working arrangements and to agree and identify the Joint Committees in place by Neath Port Talbot Council following the recent approval of the Celtic Freeport Joint Working Agreement.

RESOLVED: that members approve the Joint Working Arrangements document enclosed at Appendix 1 of the report and the Joint Committee Agreements that will be operated by the Council pursuant to powers under sections 101 and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers and that delegated authority be granted to the Head of Legal and Democratic Services to amend the constitution to incorporate the updated Appendix1.

7. **Committee Membership Changes**

RESOLVED: that the following changes to Council Committee membership be agreed:

- That Cllr Sharon Freeguard be removed as a member of the Registration and Licensing Committee and the Licensing and Gambling Acts Committee.
- That Cllr Lauren Heard be appointed as a member of the Registration and Licensing Committee and the Licensing and Gambling Acts Committee

8. **Notice of Motion under Section 10 of Part 4 (Rules of Procedure) the Council's Constitution**

None received.

9. **Questions from Members, with Notice, under Rule 9.2 of the Council's Procedure Rules**

Councillor Robert Wood asked the following question to Council:

“How many Tata Steel employees have we interviewed for council jobs and then gone on to employ, since the offer of a guaranteed interview was made to Tata Staff, affected by the blast furnace closures at Port Talbot Steelworks.”

Cllr Simon Knoyle, Cabinet Member for Finance Performance and Social Justice responded:

“In support of employees of Tata Steel who are at risk of redundancy, or have been made redundant in 2024, Neath Port Talbot Council is offering a guaranteed interview for jobs across the Council. Applicants must meet the essential criteria for the post to qualify for this. If an applicant is or is going to be affected by the job losses at Tata Steel then we welcome an applications from them. Applicants just need to make it known on the application form that they are currently at risk of redundancy or have been made redundant.

To date, as a result of this, 9 former Tata employees have successfully secured employment with the council. We do not have records of how many have applied and been interviewed. I would also advise members that the Council is leading the delivery of the Board’s funded employability programme which seeks to match people seeking work with jobs available in the economy. A team to deliver this service has been in place since 1st September 2024. Should members be interested in a fuller briefing on the overall work we are doing to support people at risk of redundancy we would be happy to provide that briefing.”

Cllr Wood followed on by asking what more should and could be done to improve outcomes for ex Tata interviewees.

A general update was given on the ongoing work of the Transition Board, and the opening of the ‘Hub’ in the Aberafan Shopping Centre and the Leader committed to bringing a detailed update on the work of the Transition Board to Council in due course.

10. **Urgent Items**

The Leader informed members that it was the current Chief Executive, Mrs Karen Jones’ last meeting of Council before her retirement in November.

He paid tribute to Karen’s career history and the impact she has had on the Council. He expressed gratitude on behalf of the council, staff

and communities of Neath Port Talbot for her work and commitment and wished her well in her retirement.

Members joined and paid tribute, personally and professionally to Karen.

Karen thanked Council and spoke about her career and time at the Council, and the tributes concluded in a round of applause to Karen.

CHAIRPERSON

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Council

27th November 2024

Report of the Head of Legal and Democratic Services – Mr Craig Griffiths

Matter for Decision

Wards Affected: All

Gambling Act 2005 - Review of Gambling Policy

Purpose of the Report

1. To consider adopting a revised Gambling Policy following the end of the consultation exercise.

Executive Summary

2. The Council, as the Licensing Authority, under the provisions of the Gambling Act 2005 is required to review its Gambling Policy every 3 years.
3. At a meeting of Council on the 4th September 2024, members determined to issue the draft revised Gambling Policy for consultation.
4. A consultation exercise was undertaken for 6 weeks between September and November 2024; there were two responses to the consultation.
5. The final revised Gambling Policy 2025 is attached at Appendix 1 to this report.

Background

6. The Council, as the Licensing Authority under the provisions of the Gambling Act 2005 is required to review its Gambling Policy every 3 years.
7. The current Gambling Policy was adopted at Council on the 22nd December 2021.
8. The revised Gambling Policy must be issued for consultation and adopted by Council before publication. The Policy must be published at least 4 weeks before it comes into effect on the 31st January 2025.

Officer Report

9. A consultation exercise was undertaken for 6 weeks between September and November 2024 and included statutory consultees, various interested parties and published on the Council's "have your say" part of the website.
10. The Department for Culture, Media and Sport ("DCMS") published its Gambling White Paper in April 2023, which sets out the Government's plans for modernising the regulation of the gambling sector. The DCMS are still analysing evidence submitted as part of the consultation process and it is not yet known what changes will be implemented. Accordingly, the proposed policy has been considered in line with the current statutory and practice guidelines.
11. Advice presented by a Gambling Commission officer at the most recent Wales Licensing Expert Panel meeting, suggested that Local Authorities make only minor amendments to their policies, such as updating dates, contact details and localised references, whilst the DCMS review is ongoing. This was the approach taken by officers when updating the policy which would enable to Council to meet its legal obligations and in line with their recommendations.
12. The consultation exercise resulted in two representations, from Gamcare and Swansea Bay University Health Board. Both have provided detailed submissions which ask the Council to consider further development of the policy in some areas. These representations are attached at Appendix 2 to this report. The focus being on the local authority undertaking a spatial assessment of the local environment and map areas of concern based on potential risks to gambling-related harm, or problem gambling (the Local Area Profile or LAP)

13. As the statutory timescales require the Council to publish a new Gambling Policy by the 3rd of January 2025 to be effective by the 31st January 2025, there is a requirement to approve a policy to meet legal requirements.
14. To address the specific points raised in the consultation, completion of a LAP is not a statutory requirement and where a LAP has been completed, it is for the Council to decide whether to include it in the policy or separate from it. The Gambling Commission suggest that Councils may consider it best to have a separate LAP so that it can be reviewed and updated without the need for full consultation.
15. It is therefore proposed that work on developing a LAP for Neath Port Talbot Council is commenced immediately but will sit outside of this policy. The offer from the Swansea Bay University Health Board for further collaboration on this matter is acknowledged and welcome.
16. The Gambling Policy can be reviewed at any point as the statutory timescales for review only act as a maximum period. It is envisaged that the completion of the LAP will coincide with the changes arising from the DCMS' review of the Gambling Sector, which will provide an ideal opportunity to make the appropriate updates to the policy and also add the reference to the LAP.

No Casino Policy

17. At the time of adoption of the current Gambling Policy, Council also determined to adopt a "no casino" policy. This decision is also required to be reviewed and requires determination as part of this report.

Financial Impact

18. Not applicable

Integrated Impact Assessment

19. A first stage Impact Assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment, attached at Appendix 3, has indicated that a more in-depth assessment is not required.

Legal Impacts

20. Section 349 Gambling Act 2005 requires the Council to prepare and publish a statement of the principles that it proposes to apply in exercising its function under the Gambling Act 2005, before each successive period of three years.

Risk Management

21. Not applicable

Consultation

22. A 6-week consultation was carried out between September and November 2024 with statutory consultees, various interested parties and by publishing the policy on the Council's "have your say" part of the website.

Recommendation

23. It is recommended that, taking into account the information included in the Integrated Impact Screening Assessment
 - (a) Members approve the revised Gambling Policy set out in appendix 1 of the report.
 - (b) Members re-adopt a "no casino policy".
 - (c) Note the ongoing work proposed in developing a Local Area Profile and note this will be considered further by the Licensing and Gambling Acts Committee.

Reasons for Proposed Decision

24. In order to comply with the legal requirements as set out in the Gambling Act 2005

Implementation of Decision

25. The decision is for immediate implementation.

Appendices

26. Appendix 1 - Revised draft Gambling Policy 2025
27. Appendix 2 – Responses to Consultation
28. Appendix 3 - Integrated Impact Assessment Screening

List of Background Papers

29. Neath Port Talbot CBC Gambling Policy 2021

Officer Contact

30. Craig Griffiths
Head of Legal and Democratic Services
Tel (01639) 763767
Email c.griffiths2@npt.gov.uk
31. Neil Chapple
Legal Regulatory Manager
Tel (01639) 763050
Email n.chapple@npt.gov.uk
32. Peter Malough
Senior Legal Regulatory Officer
Tel (01639 763050)
Email p.malough@npt.gov.uk

This page is intentionally left blank

NEATH PORT TALBOT COUNCIL

GAMBLING ACT 2005

GAMBLING POLICY 2025

Effective from 31st January 2025

**Legal Regulatory Services
Neath Port Talbot Council
Civic Centre
Port Talbot
SA13 1PJ**

Tel: 01639 763050

Fax: 01639 763059

e-mail LRS@npt.gov.uk

**Further copies may be obtained from the above address, or from
the website www.npt.gov.uk/LRS**

Approved by Council 27 December 2024

NEATH PORT TALBOT COUNCIL

GAMBLING POLICY

Part A	Page
1.0. Introduction	4
2.0. Consultation	5
3.0. Neath Port Talbot Council Local Area Profile	6
4.0. Licensing Objectives	7
5.0. Licensing Authority Functions	7
6.0. Responsible Authorities	9
7.0. Interested Parties	9
8.0. Exchange of Information	10
9.0. Enforcement	11
10.0 Fundamental Rights	12
11.0. Integrating Strategies and Avoiding Duplication	13
12.0. Sustainable Development Community Strategy	13
Part B – Premises Licences	
13.0. General Principles	15
14.0. Appropriate Licence Environment	17
15.0. Premises “Ready for Gambling”	18
16.0. Other Considerations	19
17.0. Adult Gaming Centres	24
18.0. (Licensed) Family Entertainment Centres	25
19.0. Casinos	27
20.0. Bingo Premises	27
21.0 Betting Premises	28
22.0 Travelling Fairs	28
23.0. Tracks	29
24.0. Provisional Statements	31
25.0. Reviews	32
Part C – Permits/Temporary Use Notices & Occasional Use Notices	
26.0. Family Entertainment Centre Permit	34
27.0. Alcohol Licensed Premises	35
28.0. Club Gaming and Club Machines Permits	36
29.0. Prize Gaming Permits	37
30.0. Temporary Use Notices	38
31.0. Occasional Use Notices	39
32.0 Small Society Lotteries	39
Part D - Decision Making and Enforcement	
33.0. Administration, Exercise and Delegation of Functions	41

34.0. Appeals Procedure	41
35.0. Complaints Against Licensed Premises	42
36.0. Illegally Sited Gaming Machines	42
Part E – Codes of Practice and Risk Assessments	
37.0. Overview	43
38.0 Types of Code Provision	44
39.0 Risk Assessments	44
i) Betting Tack Premises	47
ii) Significant Changes	47
iii) Variations	48
iv) Regular Review of Risk Assessments	49
v) Local Risks and Control Measures	49
40.0 Further Information	50
APPENDICES	
APPENDIX 1 – Map of Neath Port Talbot	52
APPENDIX 2 – Consultees	53
APPENDIX 3 – Delegated powers	54

NEATH PORT TALBOT COUNCIL
Gambling Act 2005

Gambling Policy

PART A

1.0. Introduction

- 1.1. The Gambling Act 2005 requires the Council (hereafter referred to as the “Licensing Authority”) to prepare and publish a “Statement of Licensing Policy” known as the Gambling Policy that sets out the principles the Licensing Authority proposes to apply in exercising its licensing functions under the Act.
- 1.2. This Policy takes effect on 31st January 2025. This Licensing Authority will update and publish a new Licensing Policy whenever necessary but in any case within 3 years of the date of this Policy, and will fully consult with partners, trade associations and residents groups as appropriate at that time, any representations received will be considered at that time.
- 1.3. However, where updates are required due to changes in national legislation, statutory guidance or contact details the Licensing Authority reserves the right to amend this policy without consultation where it is necessary to ensure the policy reflects national legislation or statutory guidance.
- 1.4. In producing the final Policy Statement the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, any codes of practice and any responses from those consulted on the Policy Statement.
- 1.5. The Licensing Authority has a legal obligation to comply with all legislation that promotes equality it has a policy in place to promote equality to all. Licensing of persons and premises under the Gambling Act 2005 will actively promote equality of service and enforcement to all members of the community.
- 1.6. The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with such a right. The Licensing Authority will have regard to the Human Rights Act

when considering any licensing issues, and particularly in respect of the way in which applications are considered and enforcement activities are carried out.

- 1.7. The Licensing Authority acknowledges that it may need to depart from this Policy and from the guidance issued under the Act in individual and exceptional circumstances, and where the case merits such a decision in the interests of the promotion of the licensing objectives. Any such decision will be taken in consultation with the appropriate legal advisors for the Licensing Authority, and the reasons for any such departure will be fully recorded.
- 1.8. It should be noted that this Policy will not override the right of any person to make an application, make representation about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

2.0. **Consultation**

- 2.1. In accordance with the requirements of the Act, the Licensing Authority has consulted widely before publishing this Policy. A list of consultees is reproduced at Appendix 2. The consultation was carried out between September and November 2024.
- 2.2. The Policy was approved at a meeting of the full Council on 27th December 2024 and was published via our website on the XX December 2024. Copies have been placed in the public libraries of the area as well as being available in the Civic Centres at Neath and Port Talbot. Should you have any comments as regards this Gambling Policy, or wish to see the full list of comments and the consideration by the authority of those comments then please send them via e-mail or letter to:-

Legal Regulatory Manager
Legal Regulatory Services
Civic Centre
Port Talbot
SA13 1PJ
LRS@npt.gov.uk

3.0. **Neath Port Talbot Council Local Area Profile**

3.1. The Council has adopted a Corporate Plan 2024-2027 – “Working towards a more prosperous, fairer and greener NPT” which sets out the Council’s four well-being objectives to maximise the Council’s contribution to the seven national well-being goals, whilst also discharging its duty to improve the economic environmental, social, and cultural well-being of people living in Neath Port Talbot. For each well-being objective, long term (20 year) outcomes have been set along with what the Council is aiming to achieve over the next three years. The Council’s four well-being objectives are:

- All children get the best start in life,
- All communities are thriving and sustainable,
- Our local environment, culture and heritage can be enjoyed by future generations,
- Jobs and skills

3.2. The Neath Port Talbot Public Services Board Well-being Plan – 2023-2028 sets out the Public Services Board’s long-term vision for the area. The Public Services Board has adopted the Council’s four well-being objectives and the Plan sets out the priorities for action over the next 5 years under each of those wellbeing objectives.

3.3. The Licensing Authority expects that those who operate or wish to operate gambling premises within Neath Port Talbot are familiar with both the Council’s Corporate Plan and the Public Services Board Well-being Plan and have regard to the well-being objectives that the Council and the Board are trying to achieve.

3.4. Operators will be expected to have considered the appropriate well-being objectives within their risk assessments as outlined in paragraph 39 of this policy, paying particular attention to the protection of children from harm and the high levels of deprivation and personal debt within Neath Port Talbot.

4.0. **Licensing Objectives**

4.1. In exercising most of their functions under the Gambling Act 2005 (the Act), the Licensing Authority must have regard to the

licensing objectives as set out in Section 1 of the Act and reproduced below: -

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
- Ensuring that gambling is being conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.2. It should be noted that the Gambling Commission has stated “The requirements in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

4.3. The Licensing Authority is aware that as per Section 153 of the Act, in making decisions about premises licences and temporary use notices, it should aim to permit the use of premises for gambling in so far as it thinks it:-

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority’s statement of licensing policy

5.0. **Licensing Authority Functions**

5.1. Under the Act this Licensing Authority will be responsible for the following:

- Issuing Premises Licences – Where gambling activities are to take place.
- Issue Provisional Statements - For premises which are to be constructed or adapted for gambling activities.

- Regulate Club Gaming Permits and or Club Machine Permits for members clubs and miners' welfare institutes who wish to undertake certain gaming activities.
- Issue Club Machine Permits – for Commercial Clubs.
- Grant Permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres.
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines.
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required.
- Registration of lotteries which are small society lotteries below prescribed thresholds.
- Issue Prize Gaming Permits.
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices.
- Provide information to the Gambling Commission regarding details of licences issued (see section 7.0. on information exchange).
- Maintain registers of the permits and licences that are issued under these functions.

5.2. The licensing authority in order to deal efficiently with applications for premises licences, permits, temporary and occasional use notices, reviews, etc has prescribed a list of delegated functions. This is shown at appendix 3.

5.3. It should be noted that the Licensing Authority will not be involved in licensing remote gambling. This will fall to the Gambling Commission via Operating Licences.

5.4. The Licensing Authority recognises that the licensing function is only one means of promoting delivery of the three objectives and should not therefore be seen as a means for solving all problems within the community. The Licensing Authority will therefore continue to work in partnership with neighbouring authorities, South Wales Police, Public Health local businesses, local people and those involved in child protection to promote the licensing objectives as outlined. In addition, the Licensing Authority recognises its duty under Section 17 of the Crime and Disorder Act 1998, with regard to the prevention of crime and disorder.

6.0. **Responsible Authorities**

6.1. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area, and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the Gambling Commission's Guidance for Local Authorities, this authority designates the Western Bay Safeguarding Children Board for this purpose.

6.2. The contact details of all the Responsible Authorities under the Gambling Act 2005 are available on the Licensing Authority's website at: www.npt.gov.uk/licensing.

7.0. **Interested Parties**

7.1. Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act as follows:-

"For the purposes of this Part, a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person –

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)".

7.2. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making, but will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities.

It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices

Interested parties can be persons who are democratically elected such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Likewise parish/community councils likely to be affected will be considered to be interested parties. Other than these persons, this Authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting that representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Legal Regulatory Services team on 01639 763050 (ring back service) or e-mail LRS@npt.gov.uk

8.0. **Exchange of Information**

- 8.1. Licensing authorities are required to include in their policy statement the principles to be applied by the Authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under Section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 8.2. The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that *data protection legislation* will not be contravened. The Licensing Authority will also have regard to any guidance issued by the

Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

8.3. Should any protocols be established as regards information exchange with other bodies, then they will be made available.

9.0. **Enforcement**

9.1. Licensing Authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

9.2. The Licensing Authority's principles are that:

It will be guided by the Gambling Commission's Guidance to Local Authorities, the Regulators Code and the Licensing Authority's enforcement policy. It will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects

9.3. The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

9.4. The Licensing Authority has implemented a risk-based inspection programme based on:-

- The Licensing Objectives
- Relevant Codes of Practice
- Guidance issued by the Gambling Commission

- The principles set out in this statement of licensing policy
- The Licensing Authority's enforcement policy

9.5. The main enforcement and compliance role for the Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which is authorises. The Gambling Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority, but should be notified to the Gambling Commission.

9.6. The Licensing Authority will take account of the Gambling Commissions guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Licensing Authority will also follow its own policies and procedures regarding the use of underage test purchasers.

9.7. The Licensing Authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

10.0. **Fundamental Rights**

10.1. Under the terms of the Act any individual/company may apply for a variety of permissions and have their applications considered on their individual merits. Equally, any Interested Party or Responsible Authority has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.

10.2. Applicants and those making relevant representations in respect of applications to the Licensing Authority have a right of appeal to the Magistrates Court against the decisions of the Licensing Authority.

11.0. **Integrating Strategies and Avoiding Duplication**

11.1. By consulting widely prior to this Policy Statement being published, the Licensing Authority will take full account of local

policies covering crime prevention, culture, transport, planning and tourism as part of an integrated strategy for the Council, Police and other agencies. Many of these strategies may not be directly related to the promotion of the three licensing objectives, but may indirectly impact upon them.

- 11.2. When considering any application, the Licensing Authority will avoid duplication with other regulatory regimes so far as possible. Therefore, the Licensing Authority will not attach conditions to a licence unless they are considered necessary, reasonable and proportionate to the use of premises for gambling consistent with the licensing objectives.

12.0. **Sustainable Development Community Strategy**

- 12.1. The Well-being of Future Generations (Wales) Act 2015 requires Local Authorities in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems, such as poverty, health inequalities and climate change. The Act clearly supports and actively promotes the licensing objectives. This Act links specifically to the prevention of crime and disorder and public nuisance. The Licensing Authority will consider the five ways of working contained under this Act namely:

Long Term (how we support the long term well-being of people) – The Licensing Authority recognises the need for people to be able to enjoy their leisure time and socialise with friends and family in a diverse and vibrant environment. This has to be balanced however against the need to ensure that children are protected from the harms of gambling and ensuring that operators are able to identify vulnerable adults with gambling addictions / problems, to offer help, guidance and support through appropriate signposting.

Integration (impacts upon our wellbeing objectives) – The Licensing Authority will ensure that children and adults with gambling addictions / problems are protected. Premises offer Gambling activities will be expected to have given proper consideration in operating schedules as to how they will protect children and vulnerable adults on their premises. Likewise, operating schedules will be expected to have given consideration to ensuring that their business does not impact negatively on those that live in the vicinity of the premises.

Involvement (how people have been involved) – The Licensing Authority has undertaken an extensive, far reaching consultation exercise in developing this policy.

Collaboration (Working with other services / organisations) – The Licensing Authority works with other Local Authorities and partner agencies across Wales to develop consistent policies and processes. Membership of the Institute of Licensing and representation on the All Wales Licensing Expert Panel enables the Licensing Authority to work with other local authorities, partner agencies and trade bodies across Wales to develop consistent policies and processes in order to achieve its objectives.

Prevention (how problems will be prevented from occurring or getting worse) – The Licensing Authority will carefully consider all applications to ensure the licensing objectives set-out in the Act are promoted at all times. Where premises are found to not be operating in a safe and responsible manner, the Licensing Authority will work with its partners to take remedial action, including formal enforcement to swiftly resolve any issues.

12.2. The Neath Port Talbot Public Services Board involving the Local Authority and representatives from a range of partner organisations, are responsible for achievement of locally set well-being objectives which must address the national well-being goals specified in the Well-being of Future Generations (Wales) Act 2015.

12.3. Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in the area. The Licensing Authority will have particular regard to the likely impact of licensing on related crime and disorder in the area, particularly when considering the location, impact, operation and management of all proposed licence/permit applications, renewals and variations of conditions.

Part B – Premises Licences

13.0. General Principles

13.1. Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

13.2. The Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:-

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority's statement of licensing policy

13.3. It is appreciated that moral objections to gambling are not a valid reason to reject applications for premises licences (except as regards any 'no casino resolution' – see section on Casinos below) and also that unmet demand is not a criterion for a Licensing Authority.

13.4. The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission commencing in May 2015 places further onus on premises to complete a risk assessment based on code 8, the social responsibility code. The Licensing Authority will have regard to this code when considering applications.

13.5. This Licensing Authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

- 13.6. Premises are defined in the Act as including “any place”. Section 152 therefore prevents more than one premises licence applying to “any place”. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being separate premises. This makes provision for large multiple unit premises such as a pleasure park, shopping mall etc to obtain discrete premises licences where appropriate safeguards are in place. However, the Licensing Authority will pay particular attention if there are issues about sub-division of a single building and will ensure that mandatory conditions relating to access between premises are observed.
- 13.7. The Gambling Commission states in its Guidance to Licensing Authorities that “in most cases the expectation is that a single building will be the subject of an application for a licence e.g. 32 High Street. But that does not mean that 32 High Street cannot be the subject of separate premises licences for the basement and ground floor if they are configured acceptably. Whether different parts of a building can be properly regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated for example by ropes or moveable partitions can properly be regarded as different premises”.
- 13.8. The Licensing Authority takes particular note of the Gambling Commission’s Guidance to Local Authorities which states that:
- 13.9. Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have

accidental access to or closely observe gambling where they are prohibited from participating.

- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premise or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

13.10. The Guidance also gives a list of factors which the Licensing Authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

14.0. **Appropriate Licence Environment**

14.1. The Guidance to Local Authorities and the Licence Conditions and Codes of Practice (LCCP) set out additional matters that the Licensing Authority should take into account when considering licence applications for premises licences.

14.2. Guidance prescribes restrictions on gambling activities on premises, previously known as primary gambling activity. The Licensing Authority will consider any application based on the provisions in these codes and guidance.

14.3. Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the Licensing Authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are

making a choice to enter into the gambling premises, and that the premises is adequately supervised at all times.

14.4. The Licensing Authority will consider these and any other relevant factors in making its decision, depending on all the circumstances of the case

15.0. **Premises “Ready for Gambling”**

15.1. The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

15.2. If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have right to occupy them, then an application for a provisional statement should be made instead.

15.3. In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process.

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

15.4. Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

15.5. More detailed examples of the circumstances in which such a licence may be granted can be found in the Guidance.

16.0. Other Considerations

Location:

- 16.1. The Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issue of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

Planning:

- 16.2. The Gambling Commissions Guidance to Licensing Authorities states:

In determining applications the Licensing Authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

- 16.3. This authority will not take into account irrelevant matters as per the above guidance. In addition the authority notes the following excerpt from the Guidance:

When dealing with a premises licence application for finished buildings, the Licensing Authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any

action that may be appropriate under the law relating to planning or building.

Duplication with other regulatory regimes:

- 16.4. This Licensing Authority seeks to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be planning permission or building regulations approval in its consideration of it. It will however, listen to and consider carefully any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 16.5. When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health & safety risks will not be taken into account, as these matters are dealt with under relevant planning, building and other regulations and must not form part of the consideration for the premises licence.

Licensing objectives:

- 16.6. Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to Local Authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

- 16.7. This Licensing Authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. It is however envisaged that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Licensing Authority is aware of the need to make a distinction between disorder and

nuisance. It will consider factors such as whether police assistance was required, the nature of any incident so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way:

16.8. The Licensing Authority has noted that the Gambling Commission's advice that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

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

16.9. The Licensing Authority notes the Gambling Commission's guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to children). The Licensing Authority will therefore consider, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

16.10. This Licensing Authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

16.11. As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition, but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who are gambling 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". The Licensing Authority will consider this licensing objective on a case by case basis.

16.12. The Licence Conditions and Codes of Practice (LCCP) prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed.

16.13. In particular operators must ensure that;

- all staff are trained,
- that all customers are supervised when on gambling premises
- must have procedures for identifying customers who are at risk of gambling related harm and also where to signpost people for support

16.14. The Licensing Authority will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records.

16.15. Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The Licensing Authority will take all conditions and codes into account when considering applications or performing enforcement activities.

16.16. The Licensing Authority will have regard to the Chief Medical Officer for Wales report to support the licensing objective to protect children and other vulnerable persons from being harmed or exploited by gambling.

16.17. The Licensing Authority would expect applicants and licence holders to carry out the necessary checks on all relevant members of staff to ensure their suitability for employment, particularly in respect of premises where children and vulnerable people have access.

Conditions:

16.18. Any conditions attached to licences by this Licensing Authority will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

16.19. Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this

Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. Specific regard will be against the local risk assessment for each premises, when making such decisions. There are specific comments made in this regard under some of the licence types below. The Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively, in conjunction with mandatory conditions specified in the Gambling Act 2005 (Mandatory and Default Conditions)(England and Wales) Regulations 2007.

16.20. The Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises, in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance and Codes of Practice.

16.21. The Licensing Authority will also ensure that where category C or above machines are on offer in premises in which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

16.22. The Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. This Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

16.23. It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning of prizes.

Door Supervisors:

16.24. The Gambling Commission advises in its Guidance to Licensing Authorities that if a Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons), then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a conditions on the premises licence to this effect.

16.25. Where it is decided that supervision of entrances/machines is appropriate for particular cases it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be licensed as the statutory requirements for different types of premises vary.

17.0. Adult Gaming Centres

17.1. The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example,

ensure that under 18-year-olds do not have access to the premises.

17.2. Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls. The Licensing Authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

17.3. The Licensing Authority may consider measures such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

18.0. **(Licensed) Family Entertainment Centres**

18.1. The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas.

18.2. The applicant will be expected to provide evidence that a suitable criminal record check with the Disclosure and Barring Service (DBS) has been conducted on all staff in his/her employment.

18.3. Children and young persons are permitted entry to licensed FECs but are not permitted to play Category C gaming machines. The Licensing Authority expects the applicant to ensure that there will be sufficient measures in place to prevent under 18-

year-olds having access to the adult only gaming machine areas. The Licensing Authority will expect applicants to meet the licensing objectives and comply with all mandatory conditions and Codes of Practice issued by the Gambling Commission.

18.4. There is a requirement that there must be clear segregation between the types of machine in order that children do not have access to Category C machines. All Category C machines must be located in an area of the premises which is separate from the remainder of the premises by a physical barrier, which will prevent access other than through a designated entrance. The Licensing Authority will seek to ensure that:

- Only adults are admitted to the area where the gaming machines are located;
- Access to the area where the machines are located is supervised;
- The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

18.5. The Licensing Authority may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare.
- Measures/training for staff or how to deal with suspected truant school children on the premises.

This list is neither mandatory, nor exhaustive and is merely indicative of example measures.

19.0. **Casinos**

- 19.1. The Licensing Authority has passed a 'no casino' resolution under Section 166 of the Gambling Act 2005. This resolution came into effect on 31st January 2025.
- 19.2. Potential licence applicants should note that as a 'no casino' resolution has been passed by this authority, no applications for casino premises will be considered. Any applications received will be returned with a notification that a 'no casinos' resolution is in place.

20.0. **Bingo Premises**

- 20.1. This Licensing Authority notes that the Gambling Commission's Guidance states;

Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

- 20.2. The Licensing Authority is aware that a holder of bingo premises licences may make available for use of a number of category B gaming machines, not exceeding 20% of the total number of gaming machines, which are available for use on the premises.
- 20.3. Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.
- 20.4. Where Category C or above machines are available in the bingo premises to which children are admitted, the Licensing Authority will seek to ensure that;
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance;

- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff or the licence holder; and
- at the entrance to, and inside any such area, notices are prominently displayed indicating that access to the area is prohibited to persons under 18.

21.0. **Betting Premises**

21.1. The Licensing Authority will as per Gambling Commission's Guidance take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

21.2. The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact who should be a senior individual and to whom the authority will contact first should any compliance queries or issues arise.

22.0. **Travelling Fairs**

22.1. It will fall to the Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

22.2. The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

22.3. It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

23.0. **Tracks**

23.1. The Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

23.2. The Licensing Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

23.3. The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as Gam Care.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 23.4. Gaming machines - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, these machines (other than category D machines) should be located in areas from which children are excluded.
- 23.5. Betting machines – This Licensing Authority will, as per Part 6 of the Gambling Commission’s Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.
- 23.6. Applications and plans -The Gambling Act (s51) requires the applicants to submit plans of the premises with their application, in order to ensure the Licensing Authority has premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity.
- 23.7. Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.
- 23.8. Some tracks may be situated on agricultural land where the perimeter is not such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.
- 23.9. In rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary of the premises does not need to be defined.)
- 23.10. This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the

difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on plan.

24.0. **Provisional Statements**

24.1. Developers may wish to apply to this authority for provisional statements before entering into a contact to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

24.2. S204 of the Gambling Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

24.3. The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible Authorities and Interested Parties may make representations and there are rights of appeal.

24.4. In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

24.5. The holder of a provisional statement may then apply for a premises licence once the premises are constructed altered or acquired.

24.6. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application.

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.

24.7. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional licence stage; or
- which is in the Authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision

25.0. **Reviews**

25.1. Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:-

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

The authority will also give consideration as to whether the request is frivolous, vexatious; will not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

25.2. The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:-

- add, remove or amend a licence condition imposed by the Licensing Authority;
- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; and
- revoke the premises licence.

25.3. In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in Section 153 of the Act, as well as any relevant representations.

25.4. In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Part C –
Permits, Temporary Use Notices & Occasional Use Notices

26.0. Family Entertainment Centre Permit

26.1. Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a permit.

26.2. The Licensing Authority will expect applicants to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policy and procedures will be considered on their merits. They may include training of staff regarding suspected truant school children, how to deal with unsupervised, very young children or children causing problems in and around the premises.

26.3. The Licensing Authority will expect applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

26.4. The applicant will be expected to provide evidence that a suitable criminal record check with the Disclosure and Barring Service (DBS) has been conducted on all staff in his/her employment.

26.5. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use and would, therefore, exclude any premises primarily used for any other purposes, e.g. canteens, fast food takeaways, leisure centres, garages and petrol filling stations, taxi offices.

26.6. It should be noted that the Licensing Authority cannot attach conditions to this type of permit.

27.0. Alcohol Licensed Premises

27.1. There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the Licensing Authority and pay the prescribed fee.

The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Act, e.g. gaming machines have been made available in a way that does not comply with the requirements on the location and operation of the gaming machines;
- the premises are mainly used for gambling; or
- an offence under the Gambling Act has been committed on the premises.

27.2. If a premises wishes to have more than 2 machines, then it needs to apply for a permit, and the Licensing Authority will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant*”. The Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling.

27.3. The applicant will be expected to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

27.4. Measures which will satisfy the Authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be required. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

27.5. It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any

such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

27.6. It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

27.7. It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

28.0. **Club Gaming and Club Machine Permits**

28.1. Members Clubs and Miner's Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit.

28.2. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming, and games of chance as set out in regulations.

28.3. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D) only. NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club

28.4. Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs, which replicates the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working mens' clubs, branches of the Royal British Legion and clubs with political affiliations".

28.5. The Licensing Authority may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to received the type of permit for which is has applied;

- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

28.6. There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold a club premises certificate under the Licensing act 2003 and so cannot use the fast-track procedure. As the Gambling Commission's Guidance to Licensing Authorities states "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

28.7. There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

29.0. **Prize Gaming Permits**

29.1. The Gambling Act 2005 states that a Licensing Authority may prepare a policy that they propose to apply in exercising their functions under this Schedule" which "may, in particular, specify matters that the Licensing Authority propose to consider in determining the suitability of the applicant for a permit.

29.2. The Licensing Authority has prepared a policy, which is that the applicant should set out the types of gaming that he or she is

intending to offer, and that the applicant should be able to demonstrate:-

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law;
- clear policies that outline the steps to be taken to protect children from harm.

29.3. In making its decision on an application for this permit the Licensing Authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

29.4. It should be noted that the Gambling Act 2005 sets down conditions that the permit holder must comply with. These conditions are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

29.5. The Licensing Authority cannot however attach additional conditions to prize gaming permits.

30.0. **Temporary Use Notices**

30.1. Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

- 30.2. The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 30.3. The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no. 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 30.4. There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that the meaning of “premises” in part 8 of the Act is discussed in Part 7 of the guidance. As with “premises”, the definition of “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In the Act “premises” is defined as including “any place”. In considering whether a place falls within the definition of “a set of premises”, licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.
- 30.5. The Licensing Authority is likely to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

31.0. **Occasional Use Notices**

- 31.1. The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority will, consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.

32.0. **Small Society Lotteries**

- 32.1. The Licensing Authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

32.2. Non-commercial gaming is permitted if it takes place at non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- By, or on behalf of, a charity or for charitable purposes.
- To enable participation in, or support of, sporting, athletic or cultural activities.

Part D – Decision Making, Conditions and Codes of Practice

33.0. Administration, Exercise and Delegation of Functions

- 33.1. The powers and duties of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.
- 33.2. It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.
- 33.3. The schedule of delegation of licensing functions is attached at Appendix 3

34.0. Appeals Procedure

- 34.1. Entitlements to appeal for parties aggrieved by decisions of the Licensing Authority are set out in Sections 206 to 209 of the 2005 Act. Appeals must be made to the Magistrates Court for the area in which the Licensing Authority, which has considered the application, is situated.
- 34.2. An appeal has to be commenced by giving notice of the appeal by the appellant to; The Clerk to the Justices, Swansea Magistrates Court, Grove Place, Swansea, SA1 5DB within a period of 21 days, beginning with the day on which the appellant was notified by the Licensing Authority of the decision to be appealed against.
- 34.3. On determining an appeal, the Court may:
- Dismiss the appeal;
 - Substitute the decision appealed against with any other decision that could have been made by the licensing authority;
 - Remit the case to the Licensing Authority to dispose of the appeal in accordance with the direction of the Court.
 - Make an order about costs.
- 34.4. In anticipation of such appeals, the Licensing Authority will give comprehensive reasons for its decisions. The Licensing

Authority will address the extent to which decisions have been made with regard to any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

34.5. As soon as the decision of the Magistrates' Court has been notified to all parties, the Licensing Authority will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action (for example, as a result of an ongoing judicial review). The Act provides for no other appeal against the determination of the Magistrates' Court.

35.0. **Complaints against licensed Premises**

35.1. The Licensing Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

35.2. Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Licensing Authority may initially arrange a conciliation meeting to address and clarify the issues of concern.

35.3. This process will not override the right of any interested party to ask that the Licensing and Gambling Acts Sub-Committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

36.0. **Illegally sited Gaming Machines**

36.1. Gaming machines can only be made available for use where a premises licence, permit or an exemption e.g. travelling fairs, authorises its use. It is not possible to site gaming machines at premises such as off licences, newsagents, takeaways or other retail stores.

36.2. When illegally sited gaming machines are discovered, the Licensing Authority will make every effort to seize the gaming

machine at the first opportunity to ensure that the gaming machine is removed from circulation.

36.3. The Licensing Authority working with the Gambling Commission will investigate offences committed under the Gambling Act 2005 by both the supplier of the machine and the proprietor of the business on which the machine was illegally sited.

36.4. The Licensing Authority will usually take formal action against the proprietor of the business where illegal gaming machines have been made available for use on the premises. As part of the proceedings the Licensing Authority will seek to secure a forfeiture order under Section 345 of Act, in order that the machine can then be destroyed.

36.5. The Licensing Authority anticipates that similar action will be taken by the Gambling Commission to ensure that formal action is also taken against the supplier of the gaming machine.

Part E – Codes of Practice and Risk Assessments

37.0. Overview

37.1. The Gambling Act 2005 requires the Gambling Commission to issue one or more codes of practice about the manner in which facilities for gambling are provided. The codes may be directed at the holders of operating or personal licences, or any other person involved in providing facilities for gambling.

37.2. The Act also requires licensing authorities to take into account when exercising their functions, any relevant code of practice issued by the Commission under section 24, in this case:-

- The Commission's Licence conditions and codes of practice (LCCP), which apply to holders of Gambling Commission operating or personal licences;
- Other codes - these are the Commission's code of practice for equal chance gaming and its code **of** practice for gaming machines in clubs and premises with an alcohol licence

38.0. **Types of Code Provision**

38.1. The LCCP contains two types of code provision, Social Responsibility Code Provisions and Ordinary Code Provisions:

Social Responsibility Code Provisions

38.2. These are provisions describing arrangements which should be made by persons providing facilities for gambling for the purpose of:-

- ensuring that gambling is conducted in a fair and open way;
- protecting children and other vulnerable persons from being harmed or exploited by gambling; and
- making assistance available to persons who are or may be affected by problems related to gambling.

38.3. Compliance with these is a condition of operator licences; therefore any breach of them by a licensed operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.

Ordinary Code Provisions

38.4. These do not have the status of licence conditions in the case of licensed operators, but set out good practice. Codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from code provisions by an operator may be taken into account by the Commission, for example on a licence review (but could not lead to imposition of a financial penalty).

39.0. **Risk Assessments**

39.1. The LCCP requires all existing licensees that provide gambling at their premises to assess the local risks to the licensing objectives and have policies, procedures and control measures to reduce those risks. Licensees must take into account any relevant matters identified in the licensing authorities (gambling) Statement of Policy when making their risk assessments.

39.2. A local risk assessment should also be undertaken or updated by a licensee, when applying for:-

- A new premises licence;
- When applying for a variation of an existing premises licence;
- To take into account any local significant changes in the local area;
- When there are significant changes within their premises that may affect the existing local risk assessment.

39.3. Operators are required to make the risk assessment available to licensing authorities when an application is submitted and a copy should be kept at the premises or otherwise on request, and this will form part of the Licensing Authority's inspection regime or investigating complaints.

39.4. The Licensing Authority expects the following matters to be considered by operators when making their risk assessment:

39.5. Matters relating to children and young persons, including:

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.;
- Any premises where children congregate including bus stops, café's, shops, and any other place where children are attracted;
- Areas that are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking, etc.;
- Recorded incidents of attempted underage gambling.

39.6. Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling;
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments;

- Arrangement for localised exchange of information regarding self-exclusions and gaming trends;
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, credit / money lending shops, pawn shops etc.

39.7. Other issues that may be considered could include;

- proximity to churches, mosques, temples or any other place of worship *as these are often used by vulnerable people, for example: providing food banks, debt advice or mental health support;*
- the economic make-up of an area;
- the surrounding night-time economy;
- children's homes and care facilities;
- the area footfall e.g. residential or commercial areas;
- banks and ATMs nearby;
- known anti-social behaviour issues;
- housing facilities;
- job centres;
- hostel and support services for the homeless;
- alcohol and drug support facilities;
- pawn brokers and payday loan businesses;
- other gambling premises;
- mental health facilities;
- community buildings;
- residential care establishments;
- transport and parking facilities e.g. bus stops, taxi ranks, train stations;
- presences of rough sleepers;
- unemployment rates for area;
- types and rates of crime in the area that could impact on the premises
- areas with significant areas of children, e.g. parks and playgrounds.

39.8. This list is not exhaustive and other factors not in this list that are identified must be taken into consideration.

Betting Track Premises

39.9. Betting Track Premises are not required to seek an Operators' Licence with the Gambling Commission and as such are not required to conduct a risk assessment. However, in the interest of the objectives of the Gambling Act 2005, namely i) preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime; ii) ensuring that gambling is conducted in a fair and open way; iii) protecting children and other vulnerable persons from being harmed or exploited by gambling, this Licensing Authority would expect a Betting Track Premises to conduct a risk assessment for their premises.

Significant changes

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

39.11. 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.

39.12. The gambling operator will be responsible for identifying when a significant change to the premises has occurred. In order to assist gambling operators the Licensing Authority has provided the following list of examples of what could be classified as a significant change to the premises (some of which may also require a variation to the existing premises licence).

- Any building work or premises refit where gambling facilities are relocated within the premises.
- The premises licence is transferred to a new operator who will operate the premises with its own

procedures and policies which are different to those of the previous licensee.

- Any change to the operator's internal policies which as a result requires additional or changes to existing control measures; and/or staff will require retraining on those policy changes.
- The entrance or entrances to the premises are changed, for example, the door materials are changed from metal with glazing to a full glass door or doors are reallocated from egress to ingress or vice versa.
- New gambling facilities are made available on the premises which were not provided previously, for example, bet in play, handheld gaming devices for customers, Self Service Betting Terminals, or a different category of gaming machine is provided.
- The premises operator makes an application for a licence at that premises to provide an activity under a different regulatory regime, for example, to permit the sale of alcohol.

39.13. As with the examples of significant changes in local circumstances, the list above is not an exhaustive list of significant changes to premises.

39.14. The Licensing Authority will not, as general practice, request a copy of the reviewed risk assessment if a significant change to the licensed premises has occurred, unless the change is one that will necessitate a variation application.

Variations

39.15. 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.

39.16. The Commissions LCCP social responsibility code provision 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 Licensing Authority may consider submitting a copy of the reviewed local risk assessment when submitting the application. This will then negate the need for the

Licensing Authority requesting to see a copy of this risk assessment and could potentially reduce the likelihood of a representation being made to the application.

Regular review of risk assessment

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

39.18. It will be up to the gambling operator as to the frequency of these reviews but it is recommended that no more than three years should pass before these assessments are reviewed. Operators may wish to synchronise their reviews of the local risk assessments with the publication of the Licensing Authority's Gambling Policy. This would enable gambling operators to consider the Local Area Profile outlined at paragraph 3.0.

Local risks and control measures

39.19. 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

39.20. The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. Gambling operator should identify and list all of the local risks within the assessment that they have identified. The level of such risks can range from being low to very high depending on the potential impact that the gambling operator has assessed it to have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

39.21. Operators will already be assessing locations when looking for new sites or when reviewing the performance of their premises. The design of premises is also assessed to ensure that they will

meet the needs of the gambling operation, will provide protection for staff and customers; and will have facilities for recording crime. Operators will also have implemented policies and procedures for the operation of premises in line with statutory and other regulatory requirements placed upon them by the Commission and other agencies.

39.22. Operators will already be familiar with identifying risks in relation to health and safety and food hygiene legislation. Risk assessments are also used for security and crime purposes, for example for money laundering and as part of trade association best practice, such as the Safe Bet Alliance.

39.23. This local risk assessment process, although similar requires a much broader range of considerations when identifying local risk. The requirement of the Commissions LCCP social responsibility code provision is that gambling operators consider the local area in which the premises are situated and the impact that the premises operation may have on the licensing objectives.

40.0. **Further Information**

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:

Legal Regulatory Services
Civic Centre
Port Talbot
SA13 1PJ

Telephone: 01639 763050 (*ring back service*)

Email: LRS@npt.gov.uk

Information is also available from:

The Gambling Commission
Victoria Square House
Birmingham
B2 4BP

Telephone: 0121 230 6666

Website: www.gamblingcommission.gov.uk

The Department for Digital, Culture, Media and Sport
100 Parliament Street
London
SW1A 2BQ

Telephone: 020 7211 2210
Website: www.culture.gov.uk

APPENDIX 1



Neath Port Talbot County Borough Council
NPTCBC GIS V7.42N

© Crown copyright. All rights reserved Neath Port Talbot CBC LA090131 - 10/08/2009

Printed with TPMS Viewer NPTCBC GIS V7.44N

APPENDIX 2

Consultees – Gambling Policy

South Wales Police
Gambling Commission
ABMU Public Health Wales
British Association of Leisure Parks,
Piers & Attractions Ltd (BALPPA)
British Greyhound Racing Board
Bingo Association
British Beer & Pub Association
Association of British Bookmakers
Casino Operators Association of the UK
Racecourse Association Ltd
British Amusements + Catering Trades Association
British Holiday & Home Parks Association
Community Councils
Neath Port Talbot Community Safety Partnership
Neath Port Talbot Council for Voluntary Services
Existing Licence / Permit holders (S34's, bingo, betting shops)
Neath Port Talbot CVS
Neath Town Centre Partnership
Neath Town Centre Manager
Business Crime Reduction Partnership
Gamblers Anonymous
Gamcare
Young Games and Gamblers Education Trust (YGAM)
CAIS
Mid and West Wales Fire and Rescue Services
Western Bay Safeguarding Boards
All Local Authority Directorates in particular:-
Environmental Health Section
Children and Young People Services

APPENDIX 3

SUMMARY OF LICENSING AUTHORITY DELEGATIONS UNDER THE
GAMBLING ACT 2005

Matters to be dealt with	Full Council	Full Cttee	Sub Committee	Officers
Three-year Gambling Policy	X			
Policy not to permit Casinos	X	X		
Fee Setting – when appropriate		X		
Application for premises licence			Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a variation to a licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a provisional statement			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application to review premises licence/club premises certificate			X	
Application for club gaming/club machine permits			Where objections have been made (and not withdrawn)	Where no objections have been made (or have been withdrawn)
Cancellation of club gaming/club machine permits			X	
Applications for other permits				X
Cancellation of licensed premises gaming machine permits				X
Consideration of temporary use notice				X
Decision to give a counter notice to a temporary use notice			X	
Decision on whether a complaint is irrelevant frivolous vexatious etc				X
Decision as Responsible Authority to call for a Review of a Premises Licence				X



GamCare's response to Neath Port Talbot Council – Consultation on the revision of statement of principles under the Gambling Act 2005

About GamCare:

GamCare is an independent charity and the leading provider of information, advice, and support for anyone affected by gambling harms. We operate the National Gambling Helpline, provide structured support for anyone harmed by gambling, and create awareness about safer gambling and treatments. For 26 years, our confidential, non-judgemental services, have supported more than half a million people to get their lives back on track.

We hold data locally and nationally through our National Gambling Helpline. We also work closely with those who have lived experience in shaping and delivering our services and programmes, ensuring that all our work is coproduced with our lived experience community at its heart.

GamCare's comments on the revision of the statement of principles:

- We welcome the position Neath Port Talbot Council is taking to go beyond the mandatory and default conditions of the Gambling Act 2005 in its statement of principles.
- Local authorities can play a greater role in reducing gambling harm, particularly for those of our clients who experience harm in land-based gambling venues, due to council's licensing responsibilities.
- It is vital that Neath Port Talbot Council develops a local picture of the level of gambling harms, in order to best target resources and tailor service provision. This could be achieved by gathering data from the National Gambling Helpline, as well as those already providing services in the area.
- Building on the proactive approach the council is already taking, we would like to see Neath Port Talbot Council commit in its statement of principles **to a public health approach** to gambling.
- This commitment should include training frontline and primary care staff to recognise the signs of gambling harm and develop referral pathways to the National Gambling Helpline or local treatment providers. GamCare has worked with Haringey Council to implement a similar system, that has received widespread support.
- In the absence of Cumulative Impact Assessments as a method by which the "aim to permit" approach can be challenged, Neath Port Talbot Council should continue to pursue a [Local Area Profile](#) approach that specifically analyses gambling risk, and use this data as a basis from which to scrutinise and possibly oppose a licensing application.
- The changes to Neath Port Talbot Council's statement of principles should be viewed in the context of the Gambling Act Review and subsequent process of white paper consultations, so take account of the rapidly changing regulatory environment.

Neath Port Talbot Statement of Gambling Licensing Policy 2025: Comments¹

Ref.	Wording	SBUHB Comment
		<p>General Feedback</p> <p>Swansea Bay University Health Board Public Health Team welcomes the opportunity to engage in the consultation process of Neath Port Talbot’s Gambling Policy 2025.</p> <p>Swansea Bay University Health Board has committed to becoming a population health focused organisation. We have a corporate responsibility for the health and wellbeing of our population, not only for those who we see through routine or clinical practice. On 30th March 2023 our Board approved “A Better Future for All: Swansea Bays Population Health Strategy”. Swansea Bay Population Health Plan (nhs.wales)</p> <p>The Population Health Strategy commits us to acting with our partners to improve population health, the wider determinants of health, and reduce inequalities. This includes action across the ‘Marmot’ policy objectives:</p> <ul style="list-style-type: none"> • Give every child the best start in life • Enable all children and young people and adults to maximise their capabilities and have control over their lives • Create fair employment and good work for all • Ensure a healthy standard of living for all • Create and develop healthy sustainable places and communities • Strengthen the role and impact of ill-health prevention • Tackle racism, discrimination and their outcomes • Pursue environmental sustainability and health equity together

Ref.	Wording	SBUHB Comment
		<p>We acknowledge the economic returns from gambling, however, there is a need to balance these benefits against the considerable, wide-reaching harms that evidence has shown can result from gambling. Compulsive or harmful gambling is a pattern of excessive gambling with impaired control over gambling behaviour and substantial negative consequences can be derived from persistent excessive gambling (Blank et al., 2021).</p> <p>Gambling can result to such a degree that it compromises, disrupts or damages family, personal or recreational pursuits” (Public Health England, 2019). A 2019 report by Public Health Wales and Bangor and Swansea Universities identified that 3% of Welsh adults were identified as “at-risk” gamblers and 1% as “problem” (harmful) gamblers. The same report identified that some of the social groups most likely to experience gambling harms are those who are already experiencing inequalities, such as people who are unemployed or on low incomes, people from black and minority ethnic backgrounds, and those with mental health problems (Rogers et al., 2019). phw.nhs.wales/news/harmful-gambling-early-education-key-to-addressing-urgent-public-health-issue/gambling-health-needs-assessment-for-wales/</p> <p>Equally important in this context, there can be considerable negative effects experienced by the wider group of people around a gambler. The health and wellbeing of partners, children, and friends can all be negatively affected. Harm can also extend to employers, communities and the economy. The numbers of those who experience harm as a result of gambling by others will be considerably greater than the number of people who harm themselves. The effect on people that have chosen not to gamble themselves is an important justification for taking actions at a population level. Gambling-related harm as a public health issue - December 2016 (ctfassets.net)</p>

Ref.	Wording	SBUHB Comment
		<p>We note the reference made in the policy regarding the Council’s Corporate Plan for 2024-2027 but there is no explicit link describing how the gambling licensing policy will support the aims and objectives of the Corporate Plan.</p> <p>We also note the reference to the Neath Port Talbot’s Public Service Board Wellbeing Plan and the Wellbeing Objectives. In the Gambling Licensing Policy, we would like to see a greater emphasis on how the policy will support the delivery of the Wellbeing Objectives specifically the steps outlined designed to achieve Wellbeing Objective 2: All our communities will be thriving and sustainable.</p>
3.0	Neath Port Talbot Council Local Area Profile	<p>We would like to see the development of a Local Area Profile, whether contained in the policy or as a supplement to the policy. This aspect of the policy is currently underdeveloped. A Local Area Profile would support the work of NPTCBC to consider the local approach to the permitting of gambling, enhance its regulation, enhance the prevention of gambling related harms based on the local profile, and identify specific local circumstances that could increase harm from gambling. In the absence of a published local area profile, risk assessments to new licence applications are based upon anecdotal information that lacks the necessary rigour to appraise the associated harms of outlet location and outlet density.</p> <p>Evidence suggests that the gambling industry is reliant upon individuals becoming harmful gamblers. A 2020 House of Lords report suggested that 60% of industry profits come from just 5% of gamblers who are already experiencing problems or are at risk of doing so. The report goes on to state that: “the people most at risk are also the most profitable to the industry: the greater the problem, the bigger the profit.” A 2020 study by John et al. cited qualitative research in which participants raised concerns “that industry</p>

Ref.	Wording	SBUHB Comment
		<p>advertising targets poorer populations who may be more susceptible to the false hope of escaping desperate socioeconomic situations.”</p> <p>phw.nhs.wales/news/harmful-gambling-early-education-key-to-addressing-urgent-public-health-issue/gambling-health-needs-assessment-for-wales/</p> <p>Furthermore, it is the responsibility of the licensees to also assess the local risks to adhering to the licensing objectives both in their application to operate and maintain good business practices. There is no statement regarding ‘relevant matters for consideration’ (39.1) other than the licensing objectives included in the licensing policy; no area profile developed to consider risk or a means to account for significant change in local circumstances which may warrant enhanced mitigation strategies.</p> <p>As it currently stands, ‘the authority should aim to permit the use of premises for gambling’ as stated in 4.3, however Neath Port Talbot Council could strengthen their support for new and current premises to adhere as effectively as possible to the Licence Conditions and Code of Practice Social Responsibility code requirements.</p> <p>This is approach lacks sufficient rigour and is not supportive of effective regulation, protection for specific population groups nor does it offer operators the intelligence they need to maintain good practice.</p>
3.5	Operators will be expected to have considered the appropriate well-being objectives within their risk assessments as outlined in paragraph 39 of this policy, paying particular attention to the	We welcome the inclusion of ‘paying particular attention to the protection of children from harm and the high levels of deprivation and personal debt within Neath Port Talbot’, however Neath Port Talbot Council could strengthen their support for new and current premises to develop an intelligence led risk assessment which would be supported by a Local Area Profile.

Ref.	Wording	SBUHB Comment
	protection of children from harm and the high levels of deprivation and personal debt within Neath Port Talbot.	
13.3	It is appreciated that moral objections to gambling are not considered a valid reason to reject applications for premises licences and also unmet demand is not a criterion for a Licensing Authority.	We are supportive that the Licensing Authority does not accept 'unmet demand' as a criterion to issue a license.
13.4	The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission commencing in May 2015 places further onus on premises to complete a risk assessment based on code 8, the social responsibility code. The Licensing Authority will have regard to this code when considering applications.	As mentioned previously, we recommend that NPTCBC develop a local area profile as recommended by the Gambling Commission. This aspect of the policy is a weakness and does not support operators to adhere to the Social Responsibility code requirements.
16.11	As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition, but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who are gambling beyond their means; and people who may not be able to make informed or balanced	There is currently no published Local Area Profile (LAP) to support a 'case by case basis' on which to make a decision regarding this licensing objective about vulnerable persons or vulnerable populations. Currently NPTCBC will be reliant solely on the LAP provided by the license applicant and local anecdotal information. We feel that there needs to be a more scientific and rigorous approach to the checks and balances placed around this objective to minimise and mitigate against any risks posed to our most vulnerable communities.

Ref.	Wording	SBUHB Comment
	<p>decisions about gambling due to a mental impairment, alcohol or drugs”. The Licensing Authority will consider this licensing objective on a case by case basis.</p>	
<p>16.16</p>	<p>The Licensing Authority will have regard to the Chief Medical Officer for Wales report to support the licensing objective to protect children and other vulnerable persons from being harmed or exploited by gambling.</p>	<p>We welcome the regard of the Chief Medical Officer for Wales report regarding the harms of gambling which describes, ‘at a population level, there are lots of people experiencing small amounts of harm from gambling, and a small number of people that experience high levels of harm.</p> <p>Action to reduce harm from gambling should not focus solely on individuals but should include a wide range of measures including advocacy, information, regulation and appropriate prohibition in a co-ordinated way.</p> <p>Gambling with our Health - CMO Report 2017 (gov.wales)</p>
<p>39.23</p>	<p>This local risk assessment process, although similar requires a much broader range of considerations when identifying local risk. The requirement of the Commissions LCCP social responsibility code provision is that gambling operators consider the local area in which the premises are situated and the impact that the premises operation may have on the licensing objectives.</p>	<p>As mentioned previously, we recommend that NPTCBC develop a local area profile as recommended by the Gambling Commission. This aspect of the policy needs strengthening in the current policy to support operators to adhere to the Social Responsibility code requirements.</p>
<p>39.6</p>	<p>Matters relating to vulnerable adults, including:</p>	<p>As mentioned previously there can be considerable negative effects experienced by the wider group of people around a gambler. The health and wellbeing of partners, children, and friends can all be negatively affected. The</p>

Ref.	Wording	SBUHB Comment
	<ul style="list-style-type: none"> Information held by the licensee regarding self-exclusions and incidences of underage gambling. Gaming trends that may mirror days for financial payments such as pay days or benefit payments. Arrangement for localised exchange of information regarding self-exclusions and gaming trends. Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependent people may congregate, credit / money lending shops, pawn shops etc. 	<p>numbers of those who experience harm as a result of gambling by others will be considerably greater than the number of people who harm themselves.</p> <p>Of the individuals living in Wales who received support from the National Gambling Treatment Services in 2020/21, 66% were male, 39% were aged between 25 and 34, and 93% were from a White British background. Almost all of them (98%) had scores of eight or higher on the Problem Gambling Screening Index (PGSI), indicating that they were "problem" gamblers. Improvements in PGSI score were seen in 94% of those completing treatment, compared to 51% among those who dropped out (GambleAware, 2022c). GamCare provided data on calls received to the National Gambling Helpline between 2018 and 2022 from individuals with a postcode in Wales. During that period, the helpline received 3,384 calls from 1,721 individual callers. Callers were more likely to be male, and in the 26 to 35 years age group. Callers reported that they were seeking support for a range of gambling-related harms, but those most commonly mentioned were anxiety and stress, family and relationship issues, and financial concerns. There is an identified need in Wales to raise awareness of the support and treatment available for people if they feel they are experiencing harm from gambling.</p> <p>phw.nhs.wales/news/harmful-gambling-early-education-key-to-addressing-urgent-public-health-issue/gambling-health-needs-assessment-for-wales/</p> <p>We raise this because the current system relies on gamblers self-referring into services and specific vulnerable population groups will be underrepresented in this data. We would like to see supplemental information and an explicit strategy on the interventions NPTCBC intend to employ when problem gamblers are identified. The measures outlined in the policy are an inadequate approach to the needs of problem gamblers and the wider group of people around the gambler.</p>

Ref.	Wording	SBUHB Comment
		<p>We would like to see greater work undertaken in this area which would align with the steps described under Wellbeing Objective 2 of the Wellbeing Plan 2023-2028. With particular regard to: ‘Make sure those who need help and support with the cost of living know what support is available and how to access it’ and ‘Identify gaps in help and support and how those gaps could be addressed’</p> <p>Furthermore, we would like to see within the policy a requirement for licensed premises to market the support services available for those experiencing the negative effects from gambling.</p>
		<p>Swansea Bay University Health Board Public Health Team are grateful for the opportunity to engage in the consultation process of Neath Port Talbot’s Gambling Licensing Policy 2025.</p> <p>We would welcome further on-going dialogue around the population health harms of gambling across the authority area and how we can collaboratively reduce harms of gambling for the population of Neath Port Talbot.</p>

This page is intentionally left blank

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Draft Revised Gambling Policy
Service Area: Legal Regulatory Services
Directorate: Strategy and Corporate Services

2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff		✓
Wider community	✓	
Internal administrative process only		✓

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age			✓			The Gambling Policy has only been amended to update dates, contact details and references.
Disability			✓			
Gender Reassignment			✓			
Marriage/Civil Partnership			✓			
Pregnancy/Maternity			✓			
Race			✓			
Religion/Belief			✓			

Sex			✓			
Sexual orientation			✓			

4. Does the initiative impact on:

	Yes	No	None/ Negligible		Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				The Gambling Policy has only been amended to update dates, contact details and references. Opportunity to use the Welsh language is not impacted. The policy and consultation will be made available in Welsh and responses are welcome in Welsh.
Treating the Welsh language no less favourably than English		✓				The Gambling Policy has only been amended to update dates, contact details and references. At no time is the Welsh language treated less favourably than English. The policy and consultation will be made available in Welsh and responses are welcome in Welsh.

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		✓				The Gambling Policy has only been amended to update dates, contact details and references. There are no biodiversity impacts.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		✓				The Gambling Policy has only been amended to update dates, contact details and references. There are no impacts on the resilience of ecosystems.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		The Licensing Authority recognises the need for people to be able to enjoy their leisure time and socialise with friends and family in a diverse and vibrant environment. This has to be balanced however against the need to ensure that children are protected from the harms of gambling and ensuring that operators are able to identify vulnerable adults with gambling addictions / problems, to offer help, guidance and support through appropriate signposting.

<p>Integration - how the initiative impacts upon our wellbeing objectives</p>	✓		<p>The Licensing Authority will ensure that children and adults with gambling addictions / problems are protected. Premises offer Gambling activities will be expected to have given proper consideration in operating schedules as to how they will protect children and vulnerable adults on their premises. Likewise, operating schedules will be expected to have given consideration to ensuring that their business does not impact negatively on those that live in the vicinity of the premises.</p>
<p>Involvement - how people have been involved in developing the initiative</p>	✓		<p>The Licensing Authority has undertaken an extensive consultation exercise in developing this policy.</p>
<p>Collaboration - how we have worked with other services/organisations to find shared sustainable solutions</p>	✓		<p>The Licensing Authority works with other Local Authorities and partner agencies across Wales to develop consistent policies and processes. Membership of the Institute of Licensing and representation on the Wales Licensing Expert Panel enables the Licensing Authority to work with other local authorities, partner agencies and trade bodies across Wales to develop consistent policies and processes in order to achieve its objectives.</p>
<p>Prevention - how the initiative will prevent problems occurring or getting worse</p>	✓		<p>The Licensing Authority will carefully consider all applications to ensure the licensing objectives set out in the Act are promoted at all times. Where premises are found to not be operating in a safe and responsible manner, the Licensing Authority will work with its partners to take remedial action, including formal enforcement to swiftly resolve any issues.</p>

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
This report is to update the existing Gambling Policy in line with statutory requirements. Only minor changes have been made to the policy as outlined above and it is therefore not considered necessary to complete a full impact assessment.	

	Name	Position	Date
Completed by	Neil Chapple	Legal Regulatory Manager	12/08/24
Signed off by	Craig Griffiths	Head of Legal and Democratic Service	12/08/24

This page is intentionally left blank



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNCIL

COUNCIL

27th November 2024

Report of the Director of Environment and Regeneration Nicola Pearce

Matter for Decision

Wards Affected: All

Neath Port Talbot Replacement Local Development Plan (RLDP) 2023-2038

Consideration of: the Preferred Strategy (December 2024); the Interim Integrated Sustainability Appraisal Report (ISA) (December 2024); Habitats Regulations Assessment (HRA) Screening Report (December 2024); and Candidate Sites Register (CSR) and Assessments (December 2024), all for the purpose of statutory public consultation.

Purpose of the Report

To consider and agree the RLDP Preferred Strategy (2023-2038) (December 2024) together with the Interim Integrated Sustainability Appraisal Report (ISA) (December 2024), Habitats Regulations Assessment (HRA) Screening Report (December 2024) and Candidate Sites Register (CSR) and Assessments (December 2024), for the purpose of statutory public consultation.

This Report was considered by Cabinet on 13th November 2024, where the Report was commended to Council for approval.

Executive Summary

The RLDP Preferred Strategy outlines the strategic framework for land use and development within Neath Port Talbot over the next 15 years (2023-2038). The Preferred Strategy establishes a number of key issues which it aims to address through setting out a vision and objectives, growth and spatial strategies, strategic policies and key sites.

The evidence collected from numerous background documents and studies has informed the content of the Preferred Strategy – three of which are being consulted on alongside the Preferred Strategy document, namely:

- ***Interim Integrated Sustainability Appraisal*** – which ensures considerations are integrated into the plan-making process guiding adjustments to enhance the environmental, social, economic and cultural benefits of the final plan / policy.
- ***Habitats Regulations Assessment Screening Report*** – which ensures that environmental protections are integrated into plan-making decisions, safeguarding biodiversity whilst still allowing for necessary development.
- ***Candidate Sites Register/Assessment*** – which presents a database of land proposed for future development or protection that has been put forward by landowners or developers for consideration in the RLDP. The assessments show how decisions have been made on choosing the most suitable key sites to deliver the RLDP strategy.

This report therefore seeks Member approval of all four documents for the purposes of public / stakeholder consultation.

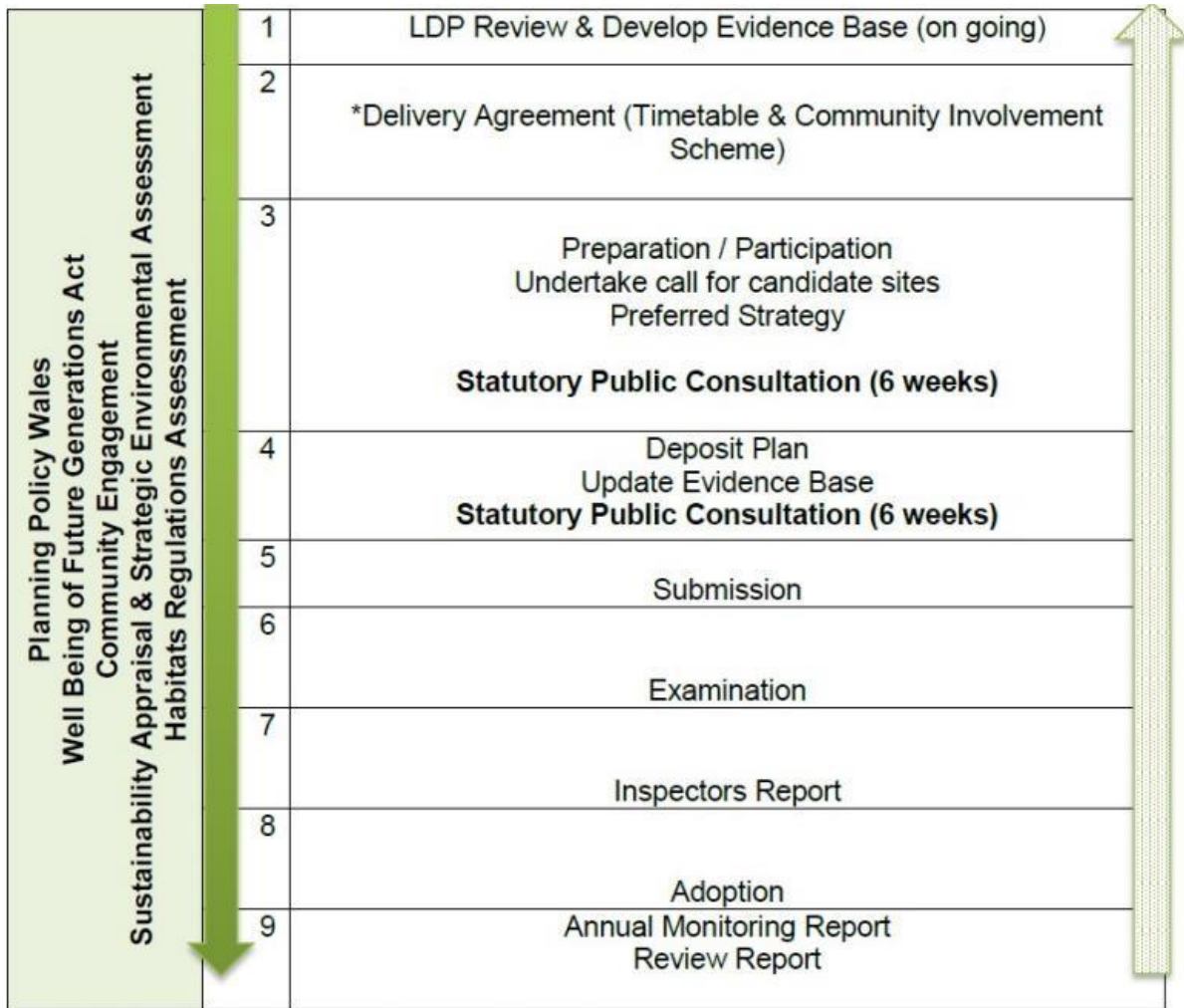
Background

The Planning and Compulsory Purchase Act 2004 provides Local Planning Authorities (LPAs) with a statutory duty to “...prepare a plan for their area to be known as a *Local Development Plan (LDP)*”. Legislation has established a plan-led planning system and requires all LPAs to prepare a replacement LDP for their area. These provide a full suite of planning policies and proposals for the achievement of sustainable development within the LPA area. Once adopted, planning applications must be determined in accordance with the policies of the LDP.

LDPs are prepared in accordance with The Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015. The regulations are supplemented by more detailed guidance in Welsh Government’s Development Plans Manual Edition 3 (March 2020).

The main stages of LDP preparation are shown in Figure 1 below. LDPs are subject to an independent Examination in Public conducted by a Planning Inspector who will test the LDP for soundness including its fit with Future Wales: The National Plan 2040 and Planning Policy Wales.

Figure 1: LDP Preparation Process



(Source: Development Plans Manual, Welsh Government)

Preferred Strategy for the Replacement LDP (2023–2038)

The ‘Preferred Strategy’ is the first statutory consultation stage in the LDP preparation process. The draft Preferred Strategy for the Replacement LDP is presented in full in Appendix 2 of this report.

The Preferred Strategy outlines the strategic framework for land use and development within Neath Port Talbot over the next 15 years (2023-2038). The Strategy sets out a number of key issues which it aims to address through establishing a vision and objectives, growth and spatial strategies, strategic policies and key sites. Importantly, it provides the framework for the future preparation of more detailed policies and proposals and land use allocations that will be included in the Deposit RLDP (consultation anticipated in Autumn/Winter 2025).

The Preferred Strategy seeks to address the national, regional and local context

and identifies the locally specific economic, environmental, social and cultural key issues and challenges within Neath Port Talbot. To respond to these key issues and challenges, a vision and set of objectives have been developed (Chapter 4).

Chapter 6 provides realistic options for the scale of future growth in population, housing and jobs and establishes the spatial distribution of growth across Neath Port Talbot to meet the evidenced needs of the communities and direct development to the most sustainable locations and address the key issues.

Members should note that the Preferred Strategy, titled '*Aiding economic recovery and valuing our unique opportunities in Neath Port Talbot*' presents a preferred level of growth (Option 3) and the preferred spatial distribution of that growth (Option F). The chosen growth option has considered the impacts of the economic transition underway in Neath Port Talbot and plans for an optimistic level of new investment opportunities, recognising the potential of the Celtic Freeport designation and Neath Port Talbot's position within the National Growth Area defined in *Future Wales: The National Plan 2040*. This overarching Preferred Strategy will be supplemented by two strategy areas: the 'Valleys Opportunity Area' encompassing the spatial areas of the Afan Valley, Neath Valley, Dulais Valley, Swansea Valley, Amman Valley and Pontardawe; and the 'Coastal Corridor and National Growth Area' comprising of Neath and Port Talbot spatial areas.

Over the plan period, the Strategy is to make provision for 4,176 homes (including a 20% flexibility allowance) (278 per annum) to meet a need of 3,480 homes, supporting the delivery of 3,555 jobs (237 per annum) and making provision for 57 hectares of employment land.

The Preferred Strategy is underpinned by 18 Strategic Policies to implement the strategy and address the Plan's identified objectives and also includes Key Sites, (Chapter 9).

The proposed Strategy will provide an appropriate balance of development to deliver the plan's objectives and to address the key issues that have been identified. The scale, location and strategic approach to development will, at a local level help to deliver the overall vision for Neath Port Talbot and at a national level will contribute to supporting and delivering the ambitions set out within *Future Wales: The National Plan 2040*.

The economy of Neath Port Talbot is undergoing a major contextual change, and the identified Strategy will support future economic development and provide a planning framework that balances homes and jobs and will foster new investment opportunities to aid the economic recovery and support the long-term potential of Neath Port Talbot.

Interim Integrated Sustainability Appraisal (ISA)

Stantec UK was commissioned to undertake an ISA of the emerging RLDP. This interim report is the first stage of an ISA process to identify, assess and address in an integrated manner any likely significant effects on the environment (including European Sites), sustainability, health and equalities of undertaking the RLDP. The report outlines the proposed approach to undertaking the ISA process, incorporating a suite of statutory and non-statutory assessment processes:

- ***Sustainability Appraisal (SA)*** – as required under the Planning and Compulsory Purchase Act 2004 ('the 2004 Act') and Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015 ('the 2015 Regulations').
- ***Strategic Environmental Assessment (SEA)*** – as required by the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 ('the SEA Regulations').
- ***Well-being Goals and Objectives*** – supporting the implementation of well-being goals and objectives (and the discharge of associated duties) as required under the Well-being of Future Generations (Wales) Act (WBFGA) 2015. The preparation of the RLDP needs to consider social, economic, environmental and cultural well-being.
- ***Equalities Impact Assessment (EqIA)*** – as required by the Equality Act 2010, covering the Public Sector Equality Duty and the Socio-Economic Duty.
- ***Health Impact Assessment (HIA)*** – non-statutory but needed to support robust SEA, EqIA and well-being assessment processes.
- ***Welsh Language Impact Assessment (WLIA)*** – as required under the 2004 Act, the Welsh Language Standards (No. 1) Regulations 2015 and Planning Policy Wales (PPW) 12th Edition.

The purpose of the 'Interim Report' is to provide the findings of the ISA, incorporating SEA, of the substantive proposals set out in the Preferred Strategy and associated background documents and identify likely significant effects and recommend mitigation and enhancement measures to enhance its effectiveness.

Summary of ISA Findings

The ISA has found the RLDP Vision and Objectives to provide a good coverage and compatibility across the sustainability topics and key sustainability objectives

and generally compatible with achieving beneficial sustainability outcomes. Considered as a whole, the suite of proposed Objectives has good coverage of most of the SA Objectives within the RLDP Sustainability Appraisal framework.

An assessment of the Strategic Policies concluded that at this stage, none of the proposed policies are predicted to have a negative adverse effect on any of the SA Objectives (13 in total), with many policies providing a positive contribution.

An interim ISA Non-Technical Summary is presented in Appendix 4.

Habitats Regulations Assessment (HRA) Screening Report

Stantec UK was also commissioned to undertake a HRA of the emerging RLDP. The purpose of the HRA Screening Report is to test whether the emerging RLDP is likely to have significant effects on the integrity of sites protected under European and national legislation, either alone, or in combination with other plans or projects.

It is a critical tool for identifying any risks to protected habitats and species early in the development planning process, ensuring that environmental considerations are fully integrated into the RLDP.

Summary of HRA Findings

The HRA considers the impacts of the RLDP strategy and policies both individually and in combination with other plans and projects, detailing mitigation measures where necessary. The HRA process, guided by national regulations, involves screening European sites within a 15km radius of the County Borough and assessing potential impact pathways. Four European sites were screened in for further assessment, and several strategic policies were identified for Appropriate Assessment (AA). The assessment found that adverse effects on site integrity could not be excluded for certain impact pathways at this stage, necessitating further evaluation and policy refinement at the Deposit Plan stage.

Candidate Sites Register/Assessment (CSR)

The CSR is a database of land proposed for future development that has been put forward by landowners or developers for consideration in the RLDP. The assessments show how decisions have been made on selecting the most suitable key sites to deliver the RLDP strategy. The CSR comprises of the following:

- ***2022 Candidate Site Register*** – a total of 229 sites were submitted following a call for candidate sites held between 1st March – 31st May 2022.
- ***2023 Candidate Site Register*** – a total of 74 sites were submitted following

a second call for candidate sites held between 6th Nov – 18th Dec 2023.

- **2023 Urban Capacity Register** – a total of 167 sites were submitted following a call for sites, these included smaller urban sites and larger greenfield sites.

Members should note that each Candidate Site has been assessed using an agreed and consistent methodology. The key principle of the assessment process is to gather suitable evidence from site promoters to robustly demonstrate the suitability, deliverability and financial viability of sites for inclusion in the RLDP.

In accordance with national guidance (Para 3.65 Development Plans Manual Edition 3, 2020), the assessment has followed a two-staged process: Stage 1 – Initial Site Assessment and Stage 2 – Detailed Site Assessment. The assessment has incorporated ISA by using a refined set of sustainability indicators and a transparent scoring system.

The Stage 1 Initial Site Assessment and a summary of the Stage 2 Detailed Site Assessment results are presented in Appendix 6 of this report – the full Stage 2 Detailed Site Assessment will be published alongside the Deposit Plan consultation (Autumn / Winter 2025).

Consultation

Subject to Member approval, the RLDP Preferred Strategy including all supporting documentation referenced in this report alongside other background papers and studies, will be published for public / stakeholder consultation in December 2024 – it is intended that the consultation period will run for an 8-week period from 12th December'24 to 6th February'25.

All representations received at this stage, including any new candidate site submissions, will be considered alongside the ongoing gathering of evidence. This important stage will therefore further inform the preparation of the 'Deposit RLDP' which will set out detailed policies and site allocations – Member approval will again be sought prior to conducting a further period of statutory consultation on the Deposit Plan.

Financial Impacts

The decisions at this stage will incur expenditure in relation to the publication and consultation procedures. These costs will be accommodated within existing budgets.

More broadly, the cost of preparing the Preferred Strategy and supporting studies

has been met from the LDP budget and carried out by the LDP team with expert advice and evidence procured from consultants and through collaboration with neighbouring authorities. The resources required to prepare the RLDP are set out in Section 6.4 of the Delivery Agreement.

Integrated Impact Assessment

A full IIA has been undertaken for the RLDP Preferred Strategy which has cross referenced to sections within the Interim Integrated Sustainability Appraisal (Appendix 3). A summary of the findings can be found below.

The RLDP will perform positively against the Health, Well-being, Equality and Social Inclusion objectives with significant long-term positive effects, through:

- supporting sustainable development that embeds placemaking principles;
- supporting sustainable transport options;
- encouraging healthier and more active lifestyles;
- supporting future economic development;
- providing a planning framework that balances homes and jobs;
- fostering new investment opportunities;
- providing associated community infrastructure to meet the needs of communities, etc.

There will be a positive effect on biodiversity and eco-system resilience. The RLDP will safeguard and conserve identified protected species and designated habitats present in accordance with statutory requirements. It will require new development across the county borough to achieve a net biodiversity benefit and enhanced ecosystems resilience.

The RLDP will support, enhance and enrich the distinctiveness of NPT's communities, including use of the Welsh language, through positive placemaking actions at a local level.

There will be a positive benefit in relation to the Wellbeing of Future Generations as the strategic objectives have been developed in line with the five ways of working.

Socio-Economic Duty

The RLDP Preferred Strategy will have a positive impact upon the socio-economic duty. The economy of NPT is undergoing a major contextual change following the recent Tata announcement. The RLDP would support future economic development, provide a planning framework that balances homes and jobs, foster new investment opportunities to aid the economic recovery and support the long-term potential of NPT.

The RLDP encourages and enables the establishment and growth of new clean green technologies and industries to promote and maintain a leading role for NPT in the national and international renewables and industrial economies. This helps to encourage local people to gain employment in these new areas.

The RLDP would have a positive benefit by improving people's opportunities and experiences, reducing and wherever possible eliminating inequalities faced by many, thereby improving people's health and wellbeing, their life chances and the communities in which they live and work.

Valleys Communities Impacts

The RLDP will have a positive impact on our valley communities through the creation of a 'Valleys Opportunity Strategy Area' (encompassing the spatial areas of Afan Valley, Neath Valley, Dulais Valley, Swansea Valley, Amman Valley and Pontardawe), where key tourism, employment and heritage opportunities will be promoted to act as a catalyst for long term improvements. Pontardawe and its surrounds and Glynneath are identified as Valley's hubs – Pontardawe due to its ability to deliver affordable homes given its focal location, and Glynneath due to the multi-million-pound improvement works along the A465(T).

The RLDP objectives, strategy and strategic policies seek to encourage initiatives to support the valley communities.

Workforce Impacts

The preparation of the RLDP will be accommodated mainly by utilising the existing staff structure within the Planning Policy team. This however will need to be kept under review, to ensure delivery in accordance with the Delivery Agreement.

Legal Impacts

The Authority has a statutory duty to prepare a Replacement LDP. This report therefore addresses the legal requirement for the Council to deliver a review of the LDP in accordance with the Delivery Agreement.

Risk Management Impacts

The Council will be in breach of its legal requirement to deliver a timely review of the LDP should there be a failure to implement the proposed recommendations. Consultation on the Preferred Strategy is a formal, statutory stage of plan preparation stipulated by the Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015. This stage is essential for building

consensus around the growth and spatial strategies prior to the publication of a Deposit Plan.

The emerging RLDP is currently progressing in accordance with the timetable set out in the Delivery Agreement. Failure to proceed to consultation at this juncture will inevitably result in slippage against this agreed timetable and further delays to the adoption of the RLDP overall – such circumstances would lead to an extended period where the Council would not have a local planning policy framework in place beyond the ‘drop-dead’ date of the current LDP (i.e. end of December 2026).

Recommendations

That having considered the report and having due regard to the Integrated Impact Assessment, it is recommended that:

1. The Replacement Local Development Plan Preferred Strategy (2023-2038) (December 2024) as presented in **Appendix 2** be agreed for the basis of public consultation.
2. The Interim Integrated Sustainability Appraisal Report (December 2024) as presented in **Appendix 3** be agreed for the basis of public consultation.
3. The Habitats Regulations Assessment Screening Report (December 2024) as presented in Appendix 5 be agreed for the basis of public consultation.
4. The Candidate Sites Register / Assessment (December 2024) as presented in **Appendix 6** be agreed for the basis of public consultation.

Reasons for Proposed Decision

The recommendations are needed to ensure compliance with Section 63 of the Planning and Compulsory Purchase Act 2004; The Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015; the Wellbeing of Future Generations (Wales) Act (2015); the Equality Act (2010); the Welsh Language Standards (No.1) Regulations 2015; Planning Policy Wales 12 (2024) and the Development Plans Manual Edition 3 (2020).

Implementation of Decision

The decision is proposed for immediate implementation.

Appendices

Appendix 1 – Full Integrated Impact Assessment.

(Please note the following appendices are to be accessed via the link. Please click on the title of the appendix to access the link)

[Appendix 2](#) – RLDP Preferred Strategy (2023-2038).

[Appendix 3](#)– Interim Integrated Sustainability Appraisal Report.

[Appendix 4](#) – Interim Integrated Sustainability Appraisal Non-Technical Summary.

[Appendix 5](#) – Habitats Regulations Assessment Screening Report.

[Appendix 6 - Candidate Sites and Assessments Part 1](#)

[Appendix 6 - Candidate Sites and Assessments Part 2](#)

[Appendix 6 Candidate Sites and Assessments Part 3](#)

List of Background Papers

Legislation and Regulations (not definitive list)

Planning and Compulsory Purchase Act 2004

Well-being of Future Generations (Wales) Act 2015

Environment (Wales) Act 2016

Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015

Environmental Assessment of Plans and Programmes (Wales) Regulations 2004

Conservation (Natural Habitats &c) Regulations 1994

Equality Act (2010)

Welsh Language Standards (No.1) Regulations 2015

Planning Policy / Guidance

Future Wales: The National Plan 2040

Neath Port Talbot Local Development Plan (2011-2026)

Planning Policy Wales Edition 12 (2024)

Technical Advice Notes (TANs)

Minerals Technical Advice Notes (MTANs)

Development Plans Manual – Edition 3 (2020)

RLDP Evidence Base

Topic Papers 2024 (Population and Housing; Employment; Welsh Language; Settlement; Education; Transport)

Joint Economic and Housing Growth Assessment (NPT/Swansea)

Key Issues, Vision and Objectives Paper

Growth and Spatial Options Background Paper

Green Infrastructure Assessment

Employment Land Review

Draft Local Housing Market Assessment

Gypsy and Traveller Accommodation Assessment (2022)
Renewable and Low Carbon Energy Assessment
High Level Viability Assessment
Infrastructure Delivery Plan
Regional Statement of Common Ground (Regional Apportionment / Self-
Assessment Test of Soundness / Regional Fit)
Urban Capacity Study
Key Sites Paper
Settlement Assessment
Strategic Highway Assessment
Strategic Flood Consequences Assessment (SFCA) Stage 1
Special Landscape Area Methodology
Best and Most Versatile (BMV) Land Paper
Green Wedge Assessment

Officer Contacts

Lana Beynon – Planning Policy Manager
Tel: 01639 686314 / E-mail: l.beynon@npt.gov.uk

Rachel Jordan – Planning Policy Team Leader
Tel: 01639 686011 / E-mail: r.jordan@npt.gov.uk

Integrated Impact Assessment (IIA)

This Integrated Impact Assessment considers the duties and requirements of the following legislation in order to inform and ensure effective decision making and compliance:

- Equality Act 2010
- Welsh Language Standards (No.1) Regulations 2015
- Well-being of Future Generations (Wales) Act 2015
- Environment (Wales) Act 2016

Version Control

Version	Author	Job title	Date
Version 1	Lana Beynon	Planning Policy Manager	16.10.2024

1. Details of the initiative

	Title of the Initiative: Neath Port Talbot Replacement Local Development Plan (RLDP) (2023-2038): Preferred Strategy Consultation
1a	Service Area: Neath Port Talbot Council
1b	Directorate: Environment and Regeneration
1c	<p>Summary of the initiative:</p> <p>The purpose of the Report is to consider and agree the RLDP Preferred Strategy (2023-2038) (December 2024) together with the Interim Integrated Sustainability Appraisal Report (ISA) (December 2024), Habitats Regulations Assessment (HRA) Screening Report (December 2024) and Candidate Sites Register (CSR) and Assessments (December 2024), for the purpose of statutory public consultation.</p> <p>Neath Port Talbot Council (NPTC) has a statutory requirement to produce a Local Development Plan (LDP) for the County Borough. NPTC's existing LDP sets out the scale and location of development in the County Borough over the period of 2011-2026. NPTC's Replacement LDP (RLDP) will replace the existing LDP. The RLDP will help shape Neath Port Talbot</p>

	<p>for the next 15 years (2023-2038) ensuring the right development happens in the right place at the right time, benefitting communities and the economy and setting out which areas need to be protected.</p> <p>Following agreement of the Delivery Agreement (DA) by Welsh Government (WG) in November 2023, the Preferred Strategy consultation is the first formal, statutory consultation stage in the preparation of the RLDP. In accordance with The Planning and Compulsory Purchase Act 2004 and Welsh Government guidance (Development Plans Manual, Edition 3, 2020), as part of the Preferred Strategy consultation members of the public and stakeholders will have the opportunity to provide comments on the Interim ISA, HRA, CSR and Assessments, and Preferred Strategy document.</p> <p>Views will then be taken into consideration and a second formal opportunity for comments will be provided as part of the Deposit Plan consultation, anticipated Autumn-Winter 2025.</p>
1d	<p>Is this a 'strategic decision'?</p> <p>Yes, the RLDP guides the future development of an area, providing a clear vision for the County Borough setting out where, when and how much new development can take place over the next 15 years (2023-2038). The aim is to provide developers and the public with certainty about the planning framework for Neath Port Talbot (NPT).</p>
1e	<p>Who will be directly affected by this initiative?</p> <p>Everyone who lives, works and/or visits NPT.</p>
1f	<p>When and how were people consulted?</p> <p>The RLDP Preferred Strategy, HRA, ISA, CSR and assessment, including all supporting documentation and background papers will be published for public/stakeholder consultation on 12th December 2024 to 6th February 2025 for an 8-week period.</p> <p>Members of the public, and stakeholders identified in the WG agreed DA, have both formally and informally been consulted as part of the development of the Preferred Strategy. Formal opportunities have been provided as part of the consultation on the Review Report, Delivery Agreement (including Community Involvement Scheme), ISA Scoping and Call for Candidate Sites. Informal opportunities have been provided on a draft initial CSR, Key Issues, Vision and Objectives and Growth and Spatial Options. Targeted engagement has also taken place with stakeholders as part of the preparation of evidence to inform the Preferred Strategy, including Welsh Language and Viability Topic Working Groups; methodologies have been shared with neighbouring authorities; and meetings have taken place with key stakeholders with regards to education, infrastructure, housing, and renewable energy.</p>
1g	<p>What were the outcomes of the consultation?</p>

Views sought from stakeholders have been used to feed into the preparation of the evidence base and preparation of the Preferred Strategy, ISA, HRA, CSR and assessments, and the preparation of the evidence base documents.

Following the Preferred Strategy consultation, views will be incorporated into the preparation of updated evidence base documents, technical studies and the Deposit Plan consultation.

In accordance with national guidance (Development Plans Manual, pp. 36) an initial consultation report will be compiled for the Deposit Plan. The consultation report will then be updated ahead of submission and submitted as part of the examination in accordance with Regulation 22.

For each consultation, comments received have been collated into a database and internally we have responded to each to have a record of where changes are or not required.

2. Evidence

What evidence was used in assessing the initiative?

Legislation requires LDPs to be underpinned by a significant amount of gathered evidence, to ensure the plan is 'sound'. In preparing the RLDP, NPTC has gathered information from existing sources, and has carried out, or commissioned, a significant amount of research and evidence-based studies. As part of the information gathering process stakeholder views have been collated. Information collected has been used to identify the key issues, vision, objectives, growth and spatial options and formed the basis for policy development in the RLDP.

In accordance with national guidance (Paragraph 4.5 Development Plans Manual), an initial Integrated Sustainability Appraisal (ISA) has been undertaken to identify, assess and address in an integrated manner any likely significant effects on the environment (including European Sites), sustainability, health and equalities in the preparation of the RLDP. This includes the integration of statutory and key elements such as the Well-Being for Future Generations Act (2015) requirements, Equalities Act, Welsh language, Health Impact Assessment and the Environment Act (Section 6) (where relevant).

A HRA report and IIA assessment for the Preferred Strategy has also been prepared which will be built upon for the Deposit Plan.

3. Equalities

a) How does the initiative impact on people who share a **protected characteristic**?

Protected Characteristic	+	-	+/-	Why will it have this impact?
Age	+			<p>As highlighted in Appendix F of the ISA, the percentage of people over 65 in NPT is growing.</p> <p>The Preferred Strategy will have a positive impact regarding age.</p> <p>Through Strategic Policy SP1, housing developments are required to provide an appropriate housing mix, support a variety of housing tenures and types to address a range of needs in line with the Local Housing Market Assessment, and contribute towards local affordable housing targets as set out in Strategic Policy SP8.</p> <p>Through Strategic Policies SP1, SP3 and SP5, the RLDP seeks to ensure housing is located within the most sustainable location with access to services, facilities, and public transport. By ensuring development is located within the most sustainable locations, the Preferred Strategy ensures that young people are located close to educational facilities, working age people are located close to a range of jobs and service, and older people are located close to easily accessible services and facilities, including health facilities. The Preferred Strategy also seeks to locate development close to public transport which will benefit all age groups that utilise public transport.</p> <p>Through SP1 and SP8, the RLDP aims to deliver 3,480 new homes from a supply of 4,176 new homes (including 20% flexibility allowance) and secure a variety of housing types and tenures. This will ensure the provision of dwellings appropriate for all ages including smaller start-up/ down sizer accommodation, family accommodation, affordable and market provision, and for affordable housing homes built to Lifetime Homes standards. Detailed policies detailing housing mix and requirements will be set out in the Deposit Plan.</p>

			<p>For working age people, the Preferred Strategy will provide employment opportunities to take into account the significant economic restructuring taking place following the Tata announcement and recently designated Celtic Freeport and recently consented development schemes such as GCRE and Wildfox.</p> <p>As part of the consultation on the Preferred Strategy, in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public, including young people, children and older people.</p> <p>The Youth Council YOVO, Junior Youth Council YOVO and Young Mayor are key stakeholder groups which are engaged throughout the Plan making process. The Ethnic Youth Support Team Wales and Youth Access and Youth Cymru are also general consultees of the RLDP.</p>
Disability	+		<p>The RLDP Preferred Strategy has a positive impact regarding disability. As highlighted in Appendix F of the ISA, Strategic Policy SP4 of the RLDP acts to reduce health inequalities and improve social cohesion by:</p> <ul style="list-style-type: none"> • Developing and enhancing sustainable, safe and cohesive communities through the provision of local services, facilities and employment; • Improving accessibility within and between communities to encourage healthier and more active lifestyles through improvements to the physical and built environment, including maintaining and/or enhancing the extent, quality and connectivity of the active travel network, green infrastructure networks, and recreational space; • Providing good quality, and energy efficient housing; and • Reducing people's exposure to adverse environmental impacts on their health through enhancing local environments and addressing, where possible, all types of pollutions. <p>In accordance with national planning policy, the RLDP will require all planning applications to submit a Design and Access Statement.</p>

			<p>Through Strategic Policies SP1 and SP8, the Preferred Strategy establishes a policy framework for the Deposit Plan which will aim to deliver a variety of housing types and tenures to be provided which includes dwellings appropriate for those who may not be able to navigate a home built to the default standard. Affordable homes will be built to Lifetime Homes standard and DQR standards to help address accessibility.</p> <p>By directing development to sustainable locations through SP1 and SP4, the RLDP Preferred Strategy seeks to ensure that all people can meet their needs more easily and that new developments are accessible and closely located to sustainable transport.</p> <p>As highlighted in SP1, a key priority for the RLDP Preferred Strategy is an emphasis on placemaking. By focussing on placemaking principles through SP1 and SP5, the Preferred Strategy seeks to make Neath Port Talbot a more accessible location for all.</p> <p>As part of the consultation on the Preferred Strategy, in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public, including people with disabilities and disability organisations.</p> <p>Disabled groups identified as stakeholders include Disability Rights Commission and Disability Wales.</p>
Gender reassignment		+/-	<p>As identified in Appendix F of the ISA, the RLDP is not expected to discriminate or differentially impact anyone based on the grounds that they have changed or are in the process of changing their gender. The RLDP Preferred Strategy is therefore considered to have a neutral overall impact.</p>

			As part of the consultation on the Preferred Strategy, in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public, irrespective of their gender expression.
Marriage & civil partnership		+/-	<p>As identified in Appendix F of the ISA, the RLDP is not expected to discriminate or differentially impact anyone based on the grounds of marriage or civil partnership. The RLDP Preferred Strategy is therefore considered to have a neutral overall impact.</p> <p>As part of the consultation on the Preferred Strategy, in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public, irrespective of their marital or partnership status.</p>
Pregnancy and maternity		+	<p>As identified in Appendix F of the ISA, the RLDP will have minor positive impacts on pregnancy and maternity by locating growth in the areas of NPT with the best access to services (including health infrastructure) and public transport, thus allowing pregnant woman to more easily access essential services and facilities locally and further afield.</p> <p>Through Strategic Policies SP1 and SP8, the Preferred Strategy seeks to ensure a range of housing types and tenures are provided, providing opportunities for people to move into larger homes that are affordable.</p> <p>Pregnant individuals and those with young children often rely on public transport. Strategic Policy SP7 Sustainable Transport seeks to enhance the active travel and public transport networks where appropriate. Safe pedestrian pathways and crossings are vital especially for those using strollers or prams.</p> <p>Pregnant and postpartum individuals benefit from access to parks, walking trails and other recreational facilities. These contribute to physical and mental well-being. Strategic Policy SP5 Placemaking in Action seeks to ensure recreation space and community facilities are retained, protected and developed.</p> <p>As part of the consultation on the Preferred Strategy, in line with the Council's</p>

			<p>agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public.</p>
Race	+		<p>As highlighted in Appendix F of the ISA, the RLDP Preferred Strategy will have a positive impact on race.</p> <p>NPT has a well-established community of Gypsies and Travellers. The Gypsy Traveller Accommodation Assessment (GTAA) 2022 identifies no need in the short term and 10 pitches in the long term. SP8 establishes the strategic policy framework for the provision of Gypsy, Traveller and Showpeople accommodation and a detailed policy will be prepared for the Deposit RLDP.</p> <p>In addition, the RLDP Preferred Strategy will have minor positive impacts on race by increasing the range of housing and job opportunities which could potentially encourage people from different racial backgrounds to move into the County Borough from more diverse areas, such as neighbouring Swansea. Through SP1, SP4 and SP5, new housing will be located in accessible locations with good access to sustainable transport. This will ensure people of all races can maintain contact with family and friends living outside the County Borough.</p> <p>The Preferred Strategy establishes the policy framework to ensure a range of housing types are provided that will meet the needs of all sections of the community.</p> <p>As part of the consultation on the Preferred Strategy, in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public, including ethnic minorities.</p> <p>The Black Asian and Minority Ethnic Community Association, Ethnic Youth Support Team Wales, Ethnic Minority Foundation, Friends, Families and Travellers, Commission for Race Equality, Race Council Cymru and the Gypsy Council are some of the groups identified as stakeholders for the RLDP.</p>
Religion or belief	+		<p>As identified in Appendix F of the ISA, the RLDP Preferred Strategy will have a minor positive impact for people of religious backgrounds as it establishes the strategic policy framework through Strategic Policy SP5 to retain and protect and develop community facilities, which includes places of worship. Strategic Policy SP1</p>

			<p>requires developments to be located in accordance with the spatial strategy and to be directed to the most sustainable locations where services and facilities are available in accessible locations to support and promote health and well-being.</p> <p>As noted in Appendix F of the ISA, the RLDP Preferred Strategy is not expected to have any significant impact on people from different religions or beliefs.</p> <p>As part of the consultation on the Preferred Strategy, in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public, including bodies which represent the interests of different religious people, and people of different religions or beliefs.</p> <p>Religious groups identified as stakeholders include Church in Wales, Swansea Hebrew Congregation, Neath Port Talbot Methodist Cymru, and Muslim Council for Wales.</p>
Sex	+		<p>As referenced in Appendix F of the ISA, the RLDP Preferred Strategy is not expected to discriminate or differentially impact anyone based on their sex.</p> <p>The RLDP Preferred Strategy seeks to provide a suitable mix of housing types, tenures, sizes, and of a suitable design to meet the diverse needs of the NPT population.</p> <p>The Preferred Strategy is expected to have minor positive impacts on sex through directing growth to accessible locations with a good standard of existing services and facilities which should allow people to meet their needs regardless of sex, including educational and employment needs.</p> <p>As part of the consultation on the Preferred Strategy, in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public irrespective of their sex.</p>
Sexual orientation		+/-	<p>As referenced in Appendix F of the ISA, the RLDP Preferred Strategy is not expected to discriminate or differentially impact anyone based on their sexuality. The</p>

			<p>Plan seeks to maximise opportunities for enhanced inclusivity across all policies within the RLDP.</p> <p>The Preferred Strategy aims to contribute to building a more inclusive and equitable community for Neath Port Talbot. Strategic Policies SP1 and SP5 focus on Placemaking and seek to ensure an appropriate mix of uses to support the creation of vibrant and sustainable communities. By ensuring high quality inclusive design, taking into consideration secured by design principles to reduce crime and the fear of crime. By seeking to retain, protect existing and develop new recreation space and community facilities will help to foster a sense of belonging and reduce social isolation.</p> <p>As part of the consultation on the Preferred Strategy, in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public, irrespective of their sexual orientation.</p>
--	--	--	--

What action will be taken to improve positive or mitigate negative impacts?

As concluded in Appendix F of the ISA, no negative impacts are identified.

As part of the consultation on the Preferred Strategy in line with the Council's agreed Community Involvement Scheme, the Council will proactively seek to engage with all members of the public irrespective of their protected characteristic.

b) How will the initiative assist or inhibit the ability to meet the **Public Sector Equality Duty**?

Public Sector Equality Duty (PSED)	+	-	+/-	Why will it have this impact?
---	----------	----------	------------	--------------------------------------

To eliminate discrimination, harassment and victimisation	+		<p>As highlighted in Appendix F of the ISA, the RLDP is not expected to discriminate, harass and/or victimise anyone. The Plan seeks to maximise opportunities for enhanced inclusivity across all policies within the RLDP. The RLDP Preferred Strategy will increase the range of housing and job opportunities which could potentially encourage people from different backgrounds to move into the County Borough from more diverse areas, such as neighbouring Swansea.</p> <p>Through Strategic Policies SP1, SP4 and SP5, all new development will be located within sustainable, accessible locations with access to services, facilities and public transport and will be required to ensure they contribute towards placemaking objectives.</p> <p>The Preferred Strategy establishes through SP8 the policy framework to ensure a range of housing types are provided that will meet the needs of all sections of the community.</p> <p>As highlighted in Paragraphs 5.4.3-5.4.5, SP1, SP2, SP3, SP4, SP5, SP6, SP7, SP12, SP16, SP17, and SP18 are predicted to have major positive (i.e. significant beneficial) effects on the SA objective 'health and wellbeing' which incorporates the need to address harassment and discrimination experienced by some residents with additional requirements. Whilst not at the level of setting out detailed criteria, these strategic policies were considered to provide a supportive high-level policy framework to improve health outcomes by ensuring adequate provision of social and community infrastructure; direct development to the most sustainable locations; promote and support the uptake of active travel; support the co-location of housing and employment growth; recognise the importance of landscape protection for physical and mental health and wellbeing; reduce pollution, address environmental risks and improve ecosystem reliance; and prioritise, where possible, on previously developed land.</p>
To advance equality of opportunity between different groups	+		<p>The RLDP would ensure development and enhancement of sustainable, safe and cohesive communities where people of all ages and backgrounds have access to good quality services and facilities that they need to live full, productive and prosperous lives.</p>

			<p>The RLDP would require active travel opportunities to be provided within new developments and opportunities would be explored to improve the accessibility between communities across the County Borough more generally.</p> <p>These would advance equality of opportunity between different groups.</p> <p>As identified in Paragraphs 5.4.6, 5.4.7 and 5.4.8, SP1, SP2, SP4, SP5, SP6, SP7, SP8, SP11 and SP16 are predicted to have major positive (i.e. significant beneficial) effects on equality and social inclusion SA objective which takes into consideration the need to advance equality of opportunity between different groups. Whilst not at the level of setting out detailed criteria, these strategic policies provide a supportive high-level policy framework to provide adequate social and community infrastructure to meet the needs of existing and future communities; ensure an appropriate mix of uses to support the creation of vibrant and sustainable communities; support economic development and rural regeneration; direct development to the most sustainable locations; promote and support the uptake of active travel; improve accessibility within and between communities; and support the co-location of housing and employment growth. The ISA concluded that at this stage none of the proposed strategic policies are predicted to have negative (i.e. adverse) effects on this objective. Several were identified to have no clear relationship with this SA objective.</p> <p>The proposed RLDP Vision and all proposed objectives, with the exception of NO12, were considered to align with this SA Objective.</p>
<p>To foster good relations between different groups</p>	<p>+</p>		<p>Welcoming places are those that foster social cohesion, providing shared public spaces that encourage people to meet and interact, breaking down social barriers and fostering a sense of belonging.</p> <p>The RLDP would promote the creation of inclusive, safe and welcoming places, ensuring an appropriate housing mix to help support the Authority’s housing needs and support the creation of vibrant and diverse communities.</p>

What action will be taken to improve positive or mitigate negative impacts?

Consultation is required to identify actual impact, particularly in relation to Public Sector Equality Duty, and to explore potential mitigating actions for consideration.

NPTC will produce an Annual Monitoring Report (AMR) on its RLDP. The AMR will identify any policy that is not being implemented in the anticipated manner. It will outline steps that the Council intends to take to secure the implementation of the policy in question and any revisions to the RLDP to replace or amend the policy.

4. Socio Economic Duty

Impact	Details of the impact/advantage/disadvantage
Positive/Advantage	<p>As identified in the ISA Scoping Report, the ISA Framework includes objectives relating to socio-economic issues. This is assessed in the ISA Framework through Objective 2 'Equality and Social Inclusion'. The ISA objective is to 'reduce poverty and inequalities, advance equality of opportunity, reduce socio-economic disadvantage, tackle social exclusion and promote community cohesion'.</p> <p>The RLDP Preferred Strategy will have a positive impact upon the socio-economic duty. The economy of NPT is undergoing a major contextual change following the recent Tata announcement. The RLDP would support future economic development, provide a planning framework that balances homes and jobs, foster new investment opportunities to aid the economic recovery and support the long-term potential of NPT.</p> <p>The RLDP encourages and enables the establishment and growth of new clean green technologies and industries to promote and maintain a leading role for NPT in the national and international renewables and industrial economies. This helps to encourage local people gaining employment in these new areas.</p> <p>The RLDP would have a positive benefit by improving people's opportunities and experiences, reducing and wherever possible eliminating inequalities faced by many, thereby improving people's health and wellbeing, their life chances and the communities in which they live and work.</p>

What action will be taken to reduce inequality of outcome

NPTC will produce an Annual Monitoring Report (AMR) on its RLDP. The AMR will identify any policy that is not being implemented in the anticipated manner. It will outline steps that the Council intends to take to secure the implementation of the policy in question and any revisions to the RLDP to replace or amend the policy.

5. Community Cohesion/Social Exclusion/Poverty

	+	-	+/-	Why will it have this impact?
Community Cohesion	+			<p>Strategic Objective 2 'Equality and Social Inclusion' of the ISA assesses the extent to which the Plan will 'reduce poverty and inequalities, advance equality of opportunity, reduce socio-economic disadvantage, tackle social exclusion and promote community cohesion'.</p> <p>The RLDP Preferred Strategy establishes the strategic framework to promote cohesive communities through the co-location of jobs, facilities, and services in accordance with the settlement hierarchy. The Preferred Strategy establishes a placemaking principle at the heart of new developments. It establishes the strategic framework to protect existing community facilities and recreational space and ensure new development provides adequate infrastructure.</p> <p>The RLDP Preferred Strategy is therefore considered to have a positive impact upon community cohesion.</p>
Social Exclusion	+			<p>Strategic Objective 2 'Equality and Social Inclusion' of the ISA assess the extent to which the Plan will 'reduce poverty and inequalities, advance equality of opportunity, reduce socio-economic disadvantage, tackle social exclusion and promote community cohesion'.</p> <p>The RLDP promotes and supports the uptake of active travel, provides an appropriate balance of homes and jobs, and enable access to a range of services,</p>

				activities, facilities with adequate efficient infrastructure. This would reduce social exclusion.
Poverty	+			<p>Strategic Objective 2 'Equality and Social Inclusion' of the ISA assess the extent to which the Plan will 'reduce poverty and inequalities, advance equality of opportunity, reduce socio-economic disadvantage, tackle social exclusion and promote community cohesion'.</p> <p>The RLDP would support future economic development, provide a planning framework that balances homes and jobs, fosters new investment opportunities to aid the economic recovery and support the long-term potential of NPT. The RLDP would also allocate employment land to meet identified need, safeguarding existing employment areas which provide a range of employment facilities within local communities and resisting the loss of employment uses both within and outside of the designated areas in order to ensure that there is sufficient land available for new development (including opportunities associated with Green Growth) and existing business expansion. These would encourage employment and have a beneficial effect on poverty.</p>

What action will be taken to improve positive or mitigate negative impacts?

NPTC will produce an Annual Monitoring Report (AMR) on its RLDP. The AMR will identify any policy that is not being implemented in the anticipated manner. It will outline steps that the Council intends to take to secure the implementation of the policy in question and any revisions to the RLDP to replace or amend the policy.

6. Welsh

	+	-	+/-	Why will it have this effect?
--	---	---	-----	--------------------------------------

<p>What effect does the initiative have on:</p> <ul style="list-style-type: none"> - people's opportunities to use the Welsh language 	+		<p>Strategic Objective 12 'Cultural Heritage and Welsh Language' assesses the extent to which the plan 'conserves, protects and enhances the historic environment and cultural assets, including the use of the Welsh language'.</p> <p>As noted in Appendix H of the ISA, the RLDP sets out a clear vision and objective that Welsh language should be a consideration as part of the RLDP making process for development.</p> <p>The RLDP will support, enhance and enrich the Welsh language, across all NPT's communities through the application of placemaking principles at a local level.</p> <p>The RLDP establishes the strategic framework to require development to promote the use of the language and avoid negative impacts on the use of the Welsh language. As noted in Appendix H, SP1, SP5, SP6, SP10, SP3, SP11, and SP8 have all been developed to promote and support the use of the Welsh language.</p> <p>As noted in Paragraph 8.6.8 of the Preferred Strategy, Technical Advice Note 20 highlights a number of potential measures to help manage the impact of development on the Welsh Language and to promote its use. Such measures will be incorporated into detailed policy in the Deposit plan and expanded upon through the preparation of revised supplementary planning guidance.</p> <p>The RLDP Preferred Strategy includes the provision of two new Welsh language primary schools on key sites (Land to the East of Rhos and Coed Hirwaun). This will increase people's opportunities to use the Welsh language.</p> <p>The Preferred Strategy therefore provides a number of opportunities to increase people's opportunities to use the Welsh language.</p> <p>The RLDP Preferred Strategy will be published in Welsh and the consultation will be undertaken in accordance with the Welsh Language Standards (No.1) Regulations 2015.</p>
<ul style="list-style-type: none"> - treating the Welsh and English languages equally 	+		<p>As noted above, under the RLDP, many opportunities have been provided to increase opportunities for people to use Welsh language, promote the use of Welsh language within NPT and support opportunities for people to engage with, promote</p>

				<p>and protect the Welsh language and bilingualism. The RLDP requires developments to assess their impact on the Welsh language.</p> <p>As above, the RLDP Preferred Strategy will be published in Welsh and the consultation will be undertaken in accordance with the Welsh Language Standards (No.1) Regulations 2015.</p>
--	--	--	--	---

What action will be taken to improve positive or mitigate negative impacts?

Consultation is required to identify actual impacts, particularly in relation to the use of Welsh Language, and to explore potential mitigating actions for consideration.

When developing sites for the new schools in the Preferred Strategy, both NPT’s Welsh in Education Strategic Plan and the RLDP can work together to, for example:

- encourage those moving into the area to learn Welsh;
- promote Welsh medium education with parents; and
- provide a Welsh language immersion centre for primary school age children to attend to learn Welsh.

NPTC will produce an Annual Monitoring Report (AMR) on its LDP. The AMR will identify any policy that is not being implemented in the anticipated manner. It will outline steps that the Council intends to take to secure the implementation of the policy in question and any revisions to the LDP to replace or amend the policy.

7. Biodiversity

How will the initiative assist or inhibit the ability to meet the **Biodiversity Duty**?

Biodiversity Duty	+	-	+/-	Why will it have this impact?
To maintain and enhance biodiversity	+			<p>SA Objective 8 ‘Biodiversity, Geodiversity and Soil’ seeks to conserve, protect and enhance biodiversity and geodiversity interests, including through safeguarding important sites and species, improving green infrastructure provision and safeguarding important soil resources’.</p> <p>As detailed in Paragraphs 5.4.24-26, Strategic Policies SP2, SP3, SP15, SP16, SP17 and SP18 are predicted to have a major positive (i.e. significant beneficial) effect on aspects of this SA objective. Whilst not at the level of setting out detailed criteria, these strategic policies are considered in the ISA to provide a supportive high-level policy framework to reduce biodiversity loss and increase ecosystem resilience; reduce pollution from all sources; conserve, protect and enhance sites designated at national and local levels for reasons of ecological importance or biodiversity conservation; protect areas of landscape value, thereby indirectly protecting their ecological features; and protect and enhance the green infrastructure network. None of the proposed strategic policies were predicted to have a negative (i.e. adverse) effect on the SA objective.</p> <p>As part of the preparation of the RLDP, the Council has prioritised the redevelopment of previously developed land, taking into consideration other constraints, before identifying greenfield sites. The Council has undertaken a step-wise approach in accordance with national policy. All sites have been reviewed by the Council’s Biodiversity team.</p> <p>The RLDP establishes the strategic framework to ensure identified protected species and designated habitats present would be safeguarded and conserved in accordance with statutory requirements. In addition, the RLDP requires development to demonstrate that a net benefit for biodiversity and ecosystems resilience would be achieved.</p>

			<p>A HRA has also been undertaken to assess the potential environmental impacts from the RLDP alone, as well as in-combination with other plans and projects, advising on appropriate policy mechanisms for delivering mitigation where required.</p>
<p>To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.</p>	<p>+</p>		<p>In addition to above, SA Objective 6 ‘Air Quality’ seeks to ‘prevent and reduce emissions and concentrations of harmful atmospheric pollutants and minimise exposure to poor air quality’. Paragraphs 5.4.18-20 of the ISA conclude that the SP1, SP2, SP4, SP6, SP7, SP12, SP13, SP16 and SP18 are predicted to have major positive (i.e. significant beneficial) effects on aspects of this SA Objective. Whilst not at the level of setting out detailed criteria, these strategic policies were considered to provide a high-level policy framework to define and deliver a housing land strategy to meet identified housing needs and support economic growth; provide good quality, and energy efficient housing; provide adequate infrastructure to support housing growth; direct housing development to sustainable and accessible locations; support the retention and provision of a mix of community, retail, employment and recreational facilities in appropriate locations across the county borough; and manage long-term settlement growth to avoid urban sprawl. None of the proposed strategic policies were predicted to have a negative (i.e. adverse) effect on the SA objective.</p> <p>SA Objective 9 ‘Water and flood risk’ also seeks to ‘conserve, protect and enhance water and coastal environments, water quality and water resources, whilst reducing the risk of flooding’. Paragraphs 5.4.27-29 of the ISA conclude that SP1, SP2, SP3, SP4, SP16, SP17 and SP18 are predicted to have major positive (i.e. significant beneficial) effects on aspects of this SA objective. Whilst not at the level of setting out detailed criteria, it was considered that these strategic policies provide a supportive high-level policy framework to direct development to the most sustainable locations; adopt appropriate design, adaptation and mitigation measures to help address climate change; protect and enhance the green infrastructure network; increase ecosystem resilience; protect and enhance surface and groundwater quantity and quality; and support sustainable flood risk management and increased protection against flood risk. None of the proposed strategic policies were predicted to have a negative (i.e. adverse) effect on the SA objective.</p>

			<p>The RLDP Preferred Strategy requires development to demonstrate that a net benefit for biodiversity and establishes the strategic framework to ensure ecosystems resilience will be achieved. The RLDP Preferred Strategy ensures that environmental issues and future changes including flood risk, coastal and fluvial change and pollution issues are appropriately avoided, addressed and adverse impacts minimised.</p> <p>Ecology, air quality and flooding constraints have been taking into consideration as part of the assessment of all Candidate Sites.</p>
--	--	--	--

<p>What action will be taken to improve positive or mitigate negative impacts?</p>
<p>NPTC will produce an Annual Monitoring Report (AMR) on its RLDP. The AMR will identify any policy that is not being implemented in the anticipated manner. It will outline steps that the Council intends to take to secure the implementation of the policy in question and any revisions to the RLDP to replace or amend the policy.</p> <p>The HRA found that adverse effects on site integrity could not be excluded for certain impact pathways at this stage, necessitating further evaluation and policy refinement at the Deposit Plan stage. This will be addressed following consultation, following revisions to policies taking into consideration consultees feedback (including Natural Resources Wales) and following the development of detailed policies.</p>

8. Well-being of Future Generations

How have the five ways of working been applied in the development of the initiative?

Ways of Working	Details
<p>i. Long term – looking at least 10 years (and up to 25 years) ahead</p>	<p>The NPT Well-being Plan (2023-2028) has been drawn upon in the formation of the Preferred Strategy and ISA. In line with national guidance (Development Plans Manual), the Well-being of Future Generations Act and the five ways of working have been used to formulate the SA objectives. In Paragraph 5.5.7 of the ISA it is concluded that the Preferred Strategy performs positively against the majority of SA objectives, in particular against health and well-being, sustainable placement, equality and social inclusion, inclusive economic growth, transport and communications, and housing with significant long-term positive effects through supporting sustainable development that embeds placemaking principles; supporting sustainable transport</p>

	<p>options; encouraging healthier and more active lifestyles; supporting future economic development; providing a planning framework that balances the delivery of new homes and jobs; fostering new investment, employment opportunities; and providing and associated community infrastructure to meet the needs of communities.</p> <p>The RLDP establishes the strategic framework to shape NPT for the next 15 years (2023-2038) ensuring the right development happens in the right place at the right time, benefitting communities and the economy and setting out which areas need to be protected. It seeks to balance opportunities and constraints taking into consideration the current economic restructuring taking place, development opportunities, changing economic context, environmental constraints, and viability constraints.</p>
<p>ii. Prevention – preventing problems occurring or getting worse</p>	<p>The Well-being Plan (2023-2028) notes NPT has one of the least healthy diets and lowest levels of physical activity in Wales resulting in increasing rates of obesity and ill health. Air quality remains an area of concern in the area. There remain high concentrations of deprivation and poverty in areas of NPT. Climate change is expected to exacerbate these inequalities, and there is a risk that responses to climate change could place a disproportionate burden on vulnerable people and more deprived communities.</p> <p>Drawing upon the Well-being Plan, the RLDP has included objectives and policies to tackle these issues:</p> <p>Healthier active lifestyles: Through SP4 ‘Health’, the RLDP requires the improvement of accessibility within and between communities. This will encourage healthier and more active lifestyles through improvements to the physical and built environment, including maintaining and/ or enhancing the extent, quality and connectivity of the following: (1) Active Travel Network; (2) Green Infrastructure Networks; (3) Recreation space.</p> <p>Poverty: Through SP6, SP10 and SP11, the RLDP will ensure that all areas of NPT are able to benefit from economic growth and from modern economic infrastructure, including visitor attractions, appropriate to meet the economic, social, environmental and cultural needs and aspirations. Through SP8 the Council will ensure sufficient housing is provided in order to help reduce homelessness and establish the strategic policy framework to ensure the delivery of affordable housing.</p>

	<p>Health and Well-being: Through SP1, SP4 and SP5 the RLDP will ensure development and enhancement of sustainable, safe and cohesive communities where people of all ages and backgrounds have access to good quality services and facilities that they need to live full, productive and prosperous lives. Through SP2, SP5 and SP18 the RLDP would also ensure that environmental issues and future changes including flood risk, coastal and fluvial change and pollution issues (including air pollution) are appropriately avoided, addressed and adverse impacts minimised.</p> <p>Climate Change: Through Objective NO1 the RLDP seeks to minimise the causes and adapt to the current and predicted impacts of climate change through: (1) Minimising greenhouse gas emissions; (2) Requiring appropriate location and design of development; and (3) The protection and enhancement of all environmental assets required for climate adaptation and resilience. Through SP2 the RLDP establishes the strategic framework for the Authority over the period from 2023 to 2038 to address climate change.</p> <p>Finally, NPTC will produce an Annual Monitoring Report (AMR) on its RLDP. The AMR will identify any policy that is not being implemented in the anticipated manner. It will outline steps that the Council intends to take to secure the implementation of the policy in question and any revisions to the RLDP to replace or amend the policy.</p>
iii. Collaboration – working with other services internal or external	<p>The LDP has collaborated internally with NPT Highways, Environmental Health, Estates, Public Protection, Housing, Tourism, Regeneration, Development Management, Biodiversity teams and other Council departments to inform the preparation of the evidence base and RLDP Preferred Strategy, ISA, HRA and CSR and Assessments.</p> <p>Externally, evidence base study methodologies have been shared with neighbouring authorities.</p> <p>Consultation has taken place with statutory consultees and key stakeholders including Councillors.</p>
iv. Involvement – involving people, ensuring they	<p>In line with the Welsh Government agreed Community Involvement Strategy of the Delivery Agreement, the Council has engaged with a variety of stakeholders in the preparation of the RLDP Preferred Strategy to reflect the diversity of the population in NPT. This has included informal consultation and targeted engagement.</p>

reflect the diversity of the population	As part of the Preferred Strategy consultation, these groups will also be consulted in line with the Delivery Agreement.
v. Integration – making connections to maximise contribution to:	The RLDP Preferred Strategy, ISA, HRA, CSR and assessments take into account the Corporate Plan, Well-being Plan, national planning policy and guidance, Council strategies such as Decarbonisation and Renewable Energy and the Welsh in Education Strategic Plan. These have been used to formulate the development of the Key Issues, Vision, Objectives, Growth and Spatial Options, Key Sites, Strategic Policies and the development of the evidence base.
Council’s well-being objectives	The Council’s Well-being Objectives are set out below: <ul style="list-style-type: none"> • All children get the best start in life; • All communities are thriving and sustainable; • Our local environment, heritage and culture can be enjoyed by future generations; and • Jobs and skills - local people are skilled and can access high quality, green jobs.
Other public bodies objectives	<p>Public Services Board Priorities:</p> <p>The Well-being of Future Generations (Wales) Act 2015 in sections 37- 38 sets out the duty of Public Services Boards (PSB) to prepare and publish an assessment of the state of the economic, social, environmental and cultural well-being in its area.</p> <p>PSB members work together to deliver the objectives set out in the PSB Well-being Plan and monitor progress on delivery of the work. In May 2023 the PSB published its revised Well-being Plan 2023/2028 setting out the priorities the PSB will focus on to improve the well-being of Neath Port Talbot.</p> <ul style="list-style-type: none"> • To ensure all children get the best start in life; • To ensure all our communities are thriving and sustainable; • To ensure our local environment, culture and heritage can be enjoyed by future generations; and • To ensure there are more secure, green and well paid jobs and that skills across the area are improved. <p>The PSB is a key statutory consultee in the preparation of the RLDP. The DA sets out how and when they have/ will be consulted as part of the preparation of the RLDP.</p>

9. Monitoring Arrangements

Provide information on the monitoring arrangements to:

Monitor the impact of the initiative on Equalities, Community Cohesion, the Welsh Measure, Biodiversity Duty and the Wellbeing Objectives.

As part of the preparation of the RLDP, the ISA which includes an assessment of the Well-being for Future Generations Act (2015), Equalities Act, Welsh language, Health Impact Assessment and Environment Act (Section 6) (where relevant) and HRA will be updated.

Following adoption of the RLDP, the Council is required to produce an Annual Monitoring Report (AMR) on its RLDP. This will identify any policy that is not being implemented in the anticipated manner; and provide an assessment of whether the underlying RLDP strategy remains sound. It will not necessarily mean that a failure to meet an established target will automatically result in a review of the policy in question. The first course of action will normally include a thorough analysis of the reason or reasons for the failure and a broader assessment of the implications as far as the successful implementation of the RLDP is concerned.

Monitoring of the anticipated impacts as identified in the IIA will be monitored and reported as part of the agreed reporting arrangements. Actions identified in the IIA will be monitored in the same way.

10. Assessment Conclusions

Please provide details of the conclusions reached in relation to each element of the assessment:

	Conclusion
Equalities	The RLDP would have a positive effect on addressing inequalities and tackle the causes of inequality experienced by particular groups within our society. Engagement with different groups and communities in the development of the Key Vision and Objectives has fostered a greater understanding of and between groups and fostered a shared sense of purpose.
Socio Economic Disadvantage	The RLDP will have a positive effect on addressing inequalities in the short, medium and longer term. The RLDP will have a positive effect by improving people's opportunities (e.g. employment, housing, healthcare, etc) and experiences, reducing and wherever possible eliminating inequalities faced by many, thereby improving people's health and wellbeing, their life chances and the communities in which they live and work.

Community Cohesion/ Social Exclusion/Poverty	The RLDP will have a positive effect on many areas to deal with poverty and social exclusion and will potentially result in stronger communities and greater community cohesion.
Welsh	The RLDP will have a positive effect in relation to opportunities to use the Welsh language. It aims to support, enhance and enrich the distinctiveness of NPT's communities, including use of the Welsh language, through positive placemaking actions at a local level.
Biodiversity	The RLDP will have a positive effect on biodiversity and eco-system resilience. The RLDP will safeguard and conserve identified protected species and designated habitats present in accordance with statutory requirements. All Development will be required to demonstrate that a net benefit for biodiversity and ecosystems resilience will be achieved.
Well-being of Future Generations	There will be a positive benefit as the well-being objectives have been incorporated into the preparation of the RLDP and the RLDP has been developed in line with the five ways of working.

Overall Conclusion

Please indicate the conclusion reached:

- **Continue** - as planned as no problems and all opportunities have been maximised √
- **Make adjustments** - as potential problems/missed opportunities/negative impacts have been identified along with mitigating actions
- **Justification** - for continuing with the initiative even though there is a potential for negative impacts or missed opportunities
- **STOP** - redraft the initiative as actual or potential unlawful discrimination has been identified

The RLDP will perform positively against the Health, Well-being, Equality and Social Inclusion objectives with significant long-term positive effects, through:

- supporting sustainable development that embeds placemaking principles;
- supporting sustainable transport options;
- encouraging healthier and more active lifestyles;
- supporting future economic development;
- providing a planning framework that balances homes and jobs;
- fostering new investment opportunities;
- providing associated community infrastructure to meet the needs of communities, etc.

There will be a positive effect on biodiversity and eco-system resilience. The RLDP will safeguard and conserve identified protected species and designated habitats present in accordance with statutory requirements. It will require new development across the county borough to achieve a net biodiversity benefit and enhanced ecosystems resilience.

The RLDP will support, enhance and enrich the distinctiveness of NPT's communities, including use of the Welsh language, through positive placemaking actions at a local level.

There will be a positive benefit in relation to the Wellbeing of Future Generations as the strategic objectives have been developed in line with the five ways of working.

Please provide details of the overall conclusion reached in relation to the initiative

11. Actions

What actions are required in relation to obtaining further data/information, to reduce or remove negative impacts or improve positive impacts?

Action	Who will be responsible for seeing it is done?	When will it be done by?	How will we know we have achieved our objective?
A revised RLDP and monitoring framework will be developed to measure the success of policies and plan delivery in improving the objectives.	The policy team with feed in from other teams and directorates.	2023-2038	The RLDP, including a framework of policies and SPG, is implemented across NPT and monitored annually.

12. Sign off

	Name	Position	Date
Completed by	Lana Beynon	Planning Policy Manager	23.10.24
Signed off by	Ceri Morris	Head of Planning and Public Protection	31st October 2024