

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Council

4th September 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 the draft revised Gambling Policy prior to consultation

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. Prior to adopting a new Gambling Policy, the Licensing Authority must undertake a mandatory consultation exercise.
4. Members are being asked to consider whether any amendments are required to be made to the revised draft Gambling Policy prior to submission to Council for approval to start the consultation exercise.

Background

5. The Council, as the Licensing Authority under the provisions of the Gambling Act 2005 is required to review its Gambling Policy every 3 years.

6. The current Gambling Policy was adopted at Council on the 22nd December 2021.
7. 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

8. 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.
9. 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.
10. As a consequence, the majority of the policy remains unchanged, except for updating dates and references to the Council’s Corporate Plan and Neath Port Talbot Public Services Board.
11. A copy of the draft revised Gambling Policy showing these changes is attached at Appendix 1 to this report, these changes are identified in red and any text to be removed is shown by striking through.
12. 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 will be submitted for determination when the final document is considered.
13. Before a revised Gambling Policy can take effect, the Licensing Authority must carry out a mandatory consultation exercise. The Gambling Act 2005 specifies statutory consultees however it is proposed that in addition to these, a range of interested parties are also consulted with; these are indicated within the revised draft policy.
14. It is considered that the consultation process should be as wide ranging as possible, and allow adequate time for responses to be submitted, following which comments by consultees and any appropriate revisions to the document

will be brought back to a meeting of Council for consideration. It is proposed that the consultation exercise lasts for 6 weeks.

15. The revised draft policy was considered by the Licensing and Gambling Acts Committee on the 19th August 2024 and determined not to make any changes to the revised draft policy prior to its submission to Council.

Financial Impact

16. Not applicable

Integrated Impact Assessment

17. 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 2, has indicated that a more in-depth assessment is not required.

Legal Impacts

18. 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

19. Not applicable

Consultation

20. Consultation will be undertaken within the context set out in this report.

Recommendation

21. That Council consider whether any amendments are required to the revised draft Gambling Policy before approving the start of the statutory consultation exercise.

Reasons for Proposed Decision

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

Implementation of Decision

23. The decision is for immediate implementation.

Appendices

24. Appendix 1 - Revised draft Gambling Policy 2025
25. Appendix 2 - Integrated Impact Assessment Screening

List of Background Papers

26. Neath Port Talbot CBC Gambling Policy 2021

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