

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Licensing and Gambling Acts Committee

13th September 2021

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 submission to Council.

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 19th December 2018.
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 2022.

Officer Report

8. A copy of the draft revised Gambling Policy showing the changes is attached at Appendix 1 to this report, these changes are identified in bold italics and any text to be removed is shown by striking through.
9. The majority of the policy remains unchanged, however where changes have been made these have been minor. The following is a summary of the changes made:
10. Date references updated for the 2022 policy
11. Contact details for Legal Regulatory Services Updated
12. Local area profile updated
13. Information on the Well-being of Future Generations (Wales) Act 2015 expanded.
14. 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.
15. 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.
16. 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.
17. 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.

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

Recommendation

23. That members consider whether any amendments are required to the revised draft Gambling Policy.
24. That members approve the draft revised Gambling Policy for submission to Council.

Reasons for Proposed Decision

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

Implementation of Decision

26. The decision is for immediate implementation.

Appendices

27. Appendix 1 - Revised draft Gambling Policy 2022
28. Appendix 2 - Integrated Impact Assessment Screening

List of Background Papers

29. Gambling Commission Guidance
30. Gambling Commission Code of Practice
31. Neath Port Talbot CBC Gambling Policy 2016

Officer Contact

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