

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Council

29th 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 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. Council is being asked for approval to consult on the Draft Gambling Policy.

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.
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. The revised draft policy was considered by the Licensing and Gambling Acts Committee on the 13th September 2021 and determined not to make any changes to the revised draft policy prior to its submission to Council.

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. Having given due regard to the IIA. Members are asked for approval to consult on the revised draft Gambling Policy.

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 2022
27. Appendix 2 - Integrated Impact Assessment Screening

List of Background Papers

28. Gambling Commission Guidance
Gambling Commission Code of Practice
Neath Port Talbot CBC Gambling Policy 2016

Officer Contact

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