

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Council

22nd December 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 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 29th September 2021, members determined to issue the draft revised Gambling Policy for consultation.
4. A consultation exercise was undertaken for 6 weeks between October and November 2021; 2 people completed the online response form, but neither made a comment on the 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. Prior to adopting a revised Gambling Policy, the Council must undertake a statutory consultation exercise and then publish the policy at least 4 weeks before it comes into effect on the 31st January 2022.

8. At a meeting of Council on the 29th September 2021, members determined to issue the draft revised Gambling Policy 2022 for consultation.

Officer Report

9. A consultation exercise was undertaken for 6 weeks between October and November 2021 and included the statutory consultees, various interested parties and the general public.
10. The consultation exercise resulted in two people completing the online response form, however neither respondent made any comments on the draft Gambling Policy.
11. The draft revised gambling Policy, proposed for adoption is attached at appendix 1.
12. In addition to the adoption of the revised Gambling Policy 2022, members are also being asked to consider adopting a “no casino policy”. The Gambling Act 2005 states that the Licensing Authority may resolve not to issue casino premises licences. In passing such a resolution the authority may take into account any principle or matter, not just the licensing objectives. A “no casino policy” is already in place, however the resolution only last for 3 years and should the Licensing Authority wish to keep the policy, a new resolution now needs to be passed.

Financial Impact

13. Not applicable

Integrated Impact Assessment

14. 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

15. 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

16. Not applicable

Consultation

17. Consultation was undertaken within the context set out in this report.

Recommendation

18. 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”.

Reasons for Proposed Decision

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

Implementation of Decision

20. The decision is for immediate implementation.

Appendices

21. Appendix 1 - Revised draft Gambling Policy 2022
22. Appendix 2 - Integrated Impact Assessment Screening

List of Background Papers

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

Officer Contact

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