

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Statement of Gambling Policy and Proposals for Casinos

DIRECTORATE: Social Care, Safeguarding and Health

MEETING: Licensing & Regulatory Committee

Date to be considered: 18th September 2018

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider the approach to be adopted by Monmouthshire County Council with regard to casino premises applications within the County prior to submission to Full Council.
- 1.2 To consider the proposed 'Draft Statement of Gambling Policy 2019' prior to submission to Full Council.

2. RECOMMENDATION(S):

- 2.1 Members consider whether to retain the current resolution not to issue casino licences within the County of Monmouthshire prior to it being considered at Full Council in October 2018.
- 2.2 Members consider the proposed updated policy statement and comment accordingly (changes highlighted in red and following consultation further amendments highlighted in blue), which is attached as Appendix A. This Policy will then be considered at Full Council in October 2018.

3. KEY ISSUES

- 3.1 Each Local Authority, under the provisions of Section 154 of the Gambling Act 2005, must issue a policy which will determine how they will discharge their functions. The current policy held by this Authority under the Gambling Act was approved at Full Council on 19th November 2015. There is a duty to review the policy every three years. The new policy will be required to commence on 31st January 2019, in accordance with the Act. This report sets out the procedure and proposed policy statement, in particular the principle regarding casinos, prior to consideration at Full Council.
- 3.2 Under the provisions of this Act, the Local Authority must issue a policy which will determine how they will discharge their functions. The policy must contain objectives regarding the following:-
 - 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 conducted in a fair and open way, and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 3.3 When carrying out their functions, the Licensing Authority must have regard to:-
 - Any relevant code of practice issued by the Secretary of State
 - Any relevant guidance issued by the Gambling Commission

- Ensuring the way they exercise their functions are reasonably consistent with the licensing objectives and
- In accordance with the revised policy.

3.4 At the Licensing and Regulatory Committee of 12th June 2018 reports were provided to Members to consider the revised Gambling Policy and the proposals for Casinos within Monmouthshire and the Future Generations Evaluation Form attached to this report as Appendix A and B respectively. Members were also informed that before determining its policy for a three year period, a licensing authority must consult the following:-

- The Police
- The Fire Authority
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area, and
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

Members at this hearing provisionally agreed to the revised policy and the retention of the resolution not to issue casino licences.

3.5 This consultation has been conducted. No comments were received opposing the resolution not to permit casinos. However, a response was received from Aneurin Bevan Gwent Public Health Team regarding the proposed Statement of Gambling Policy 2019, which is attached to this report as Appendix C.

3.6. The revised policy must be published and in place for commencement on 31st January 2019. The proposed Policy that was presented at the Licensing and Regulatory Committee on 12th June 2018 was endorsed by the Gwent Licensing Forum with the aim of all five Authorities, namely Monmouthshire, Torfaen, Caerphilly, Blaenau Gwent and Newport, adopting this Policy, subject to changes pertinent to each Authorities area and character. As such, all five authorities have been made aware of the response from the Aneurin Bevan Gwent Public Health Team following consultation.

3.7. Newport City Council responded to the Public Health Comments and the proposal for the amendment to Monmouthshire County Council's Gambling Policy is also listed below as follows;

Recommendation 1

Public Health : Location of premises to include (i) is the premises located in an area of deprivation? (ii) and is the premises located within a clustering of gambling premises.

Newport : Believe item (i) is covered in risk assessment for a premises (ii) agree to this recommendation and should include 'clusters of gambling premises'.

Monmouthshire : Recommend to include on page 38 of the risk assessment of the Policy 'If there is an existing cluster of gambling premises' (highlighted in blue).

Recommendation 2

Public Health : To include the wording 'The consideration of the proximity of gambling premises to locations where groups vulnerable to problematic gambling may congregate, e.g. schools, alcohol services, supported housing, will be a priority for the applicant and licensing authority'. If time allowed Public Health will provide a list of groups vulnerable to gambling and advise on the locations they may congregate.

Newport : Agree to the recommendation - To attach a list of vulnerable groups within the crime data and local area profile section of the Policy. This they recommend to be done by a weblink. This list is required from Public Health before the Policy comes into force.

Monmouthshire : Recommend to include on page 41 of the risk assessment of the Policy the wording 'The consideration of the proximity of gambling premises to locations where groups vulnerable to problematic gambling may congregate, e.g. schools, alcohol services, supported housing, will be a priority for the applicant and licensing authority ' (highlighted in blue). To insert a link on page 41 the list of vulnerable people and the locations they may congregate when made available by Public Health.

Recommendation 3

Public Health : Consideration of alcohol related premises play a greater role when considering a gambling application.

Newport : Agree to this recommendation. To include on page 38 following proximity of premises statement.

Monmouthshire : Recommend to include on page 38 of the risk assessment of the Policy 'The consideration of the location of alcohol licensed premises will also be a key consideration for gambling licence applications ' (highlighted in blue).

Recommendation 4

Public Health : Training requested and how to signpost people for support.

Newport : Agree to this recommendation. To include on page 16 following must have procedures for identifying customers who are at risk of gambling related harm, the wording 'and also where to signpost people for support (training is available from a number of sources including Newport Citizens Advice Bureau (CAB) and GambleAware).

Monmouthshire : Recommend to include on page 16 of the Policy the wording recommended by Newport (highlighted in blue).

Recommendation 5

Public Health : Includes a proviso that all gambling premises clearly promote local and national services – in particular Newport CAB Gambling Support Services and GambleAware.

Newport : Disagree to this recommendation - Don't think you can say this in a Policy. But can be placed in further guidance.

Monmouthshire : Agree with Newport statement and recommend that this be placed in guidance. Gambling premises can have regard to support service to promote the Gambling Licensing objectives stated in 3.2 above, services may change and as such would be better placed in guidance documents.

3.8 The timetable of events planned for the transition of the Statement of Gambling Policy are as follows:-

12 th June 2018	First Draft of Policy to the Licensing and Regulatory Committee
18 st June 2018 – 31 st August 2018	Consultation on Gambling Policy – Send out letters and put on the website.
18 th Sept 2018	Final Draft, results of consultation to the Licensing and Regulatory Committee
25 th Oct 2018	Gambling Policy report to Full Council

End of Nov 2018	Legal Notice in Newspaper
3 rd January 2019	Publication of Gambling Policy
31 st January 2019	Commencement of Gambling Policy

3 REASONS:

- 4.1 The policy is necessary to guide consistent decisions and takes account of guidance.
- 4.2 There is a need to take account of collaborative approaches
- 4.3 To ensure that applications with no relevant information to consider can be dealt with without unnecessary delay.
- 4.4 To enforce the provisions of the Gambling Act 2005 effectively.

5. RESOURCE IMPLICATIONS:

- 5.1 Any additional costs will be absorbed within our existing licensing budget.

6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS

- 6.1 The 'Future Generations' template is attached as Appendix B. In summary, currently the Authority has a resolution not to permit casinos within the County. If this resolution is lifted it may promote excessive gambling within casinos. This may in turn impact on those who are vulnerable or addicted to gambling.
- 6.2 If the resolution not to permit casinos is maintained, this protects children and so contributes positively to the wellbeing of existing and future generations.
- 6.3 It is a statutory requirement to compile a Gambling Policy, as outlined in Section 3. Although not a 'proposal' (therefore not requiring full assessment) it does contribute positively to protecting children and other vulnerable persons from being harmed or exploited by gambling.

7. CONSULTEES:

Newport City Council, Blaenau Gwent County Borough Council, Torfaen County Borough Council, Caerphilly County Borough Council, Public Health and Gambling Commission.

8. BACKGROUND PAPERS:

Gambling Act 2005.
Gambling Commission Guidance issued under Section 349 of the Gambling Act 2005.

9. AUTHOR:

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