

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Proposal for Casinos – Gambling Act 2005

DIRECTORATE: Chief Executives

MEETING: Full Council

Date to be considered: 19th November 2015

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider the Council's existing resolution to not permit casinos within the County of Monmouthshire.

2. RECOMMENDATION(S):

- 2.1 To refuse casino applications made under the Gambling Act 2005 within their Gambling Policy.

3. KEY ISSUES

- 3.1 Section 154 of the Gambling Act 2005 requires that the Authority prepares and publishes a Gambling Policy which sets out the principles that it proposes to apply in exercising its functions under the Act. There is a further duty on the Authority to review that Policy every three years.
- 3.2 At the meeting held on 22nd November 2012, Council adopted a Gambling Policy and passed a resolution not to permit casinos within the County of Monmouthshire. Because this policy must be reviewed every 3 years, there is a legal requirement for the Authority to review the Gambling Policy by 31st January 2016, in particular the principle regarding casinos.
- 3.3 The Gambling Act came into force on 1st September 2007 and at the time over 140 casinos were permitted to continue to operate under grandfather rights in Britain. Councils were also permitted to put a bid in to allow them to receive applications for a Casino. However, this was limited to 8 large casinos and 8 small casinos throughout Britain and these places have been taken up.
- 3.4 If Monmouthshire took the viewpoint to lift the resolution that restricts casino applications, the Authority would only be permitted to submit a bid to allow applications for a casino in the County if one of the casinos already licensed within Britain hands in their licence, which is unlikely at this time
- 3.5 The definition for large and small casinos referred to in 3.3 above are as follows:-

Large Casinos

A large casino will have a minimum total customer area of 1,500m², and be permitted up to 150 category B gaming machines, with a maximum jackpot of £4,000. The premises will be permitted to offer bingo and betting.

Small Casinos

Small casinos will have a minimum total customer area of 750m², and be permitted up to 80 category B gaming machines, with a maximum jackpot of £4,000. The premises will be permitted to offer betting.

- 3.6 If Monmouthshire decide to continue with the resolution not to have a casino this will be written within the Policy required under the Gambling Act 2005, which will last for a period of 3 years.
- 3.7 The Licensing and Regulatory Committee on 15th September 2015 endorsed the proposal to continue with the refusal of casinos within the County of Monmouthshire.

4. REASONS

- 4.1 To review within Monmouthshire County Council's Statement of Gambling Policy 2013 the continuation of the resolution not to permit casinos within the County of Monmouthshire.
- 4.2 If the Council resolves to allow casinos within the County, applications will only be possible if a current casino licence holder in Britain surrenders their licence, or the licence is revoked. Then Monmouthshire Council would need to be successful in their bid to replace the licence allocation, as numbers are restricted nationally.

5. RESOURCE IMPLICATIONS

None.

6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS

- 6.1 The 'Future Generations' template is attached as Appendix A. 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.

7. CONSULTEES:

- SLT
- Cabinet Members
- Chairs of Select Committees
- Head of Legal Services
- Head of Regulatory Services
- Relevant bodies as outlined in Section 349 of the Gambling Act 2005.
- The Licensing and Regulatory Committee (15th September 2015)

8. BACKGROUND PAPERS:

Gambling Act 2005

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

9. AUTHOR:

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