

**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:** 21<sup>st</sup> May 2024

**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 2025' 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.
- 2.2 Members review the proposed updated Gambling policy statement for the period 31 January 2025 to 30 January 2028, which is attached as Appendix A. To seek approval to commence the statutory consultation process prior to determining the new statement.

**3. KEY ISSUES**

- 3.1 Section 349 of the Gambling Act 2005 requires that before each successive period of three years, the Council, in its role as the Licensing Authority, prepares and publishes a policy statement that it proposes to apply in exercising its functions under the Act during that period. The current Gambling policy covers the three-year period that began on 31 January 2022. A review must therefore be undertaken and the next Gambling policy published before 31 January 2025. Consultation must be undertaken as part of the preparation of the policy and a draft version of the revised policy is brought before Members, which includes the determination of casinos for their consideration prior to commencing the consultation process.
- 3.2 The Council will need to consider firstly if they wish to continue with the resolution not to have a casino within the County. The decision on this will then be inserted into the revised Gambling Policy that will be published on 31 January 2025.
- 3.3 Central Government upon the advice of the Casino Advisory Panel permitted 8 large and 8 small casinos along with those who had grandfather rights when the Act came into force, which have all been duly issued. There is currently no further provision for more casinos to be allocated. However, the Council still need to consider the course of action they wish to take with casinos and place this within the Gambling Policy should the availability of casinos change.

- 3.4 Before any licence for a Casino is granted, the Casino Advisory Panel will advise Central Government that the area is in need of regeneration and Monmouthshire would have to satisfy them that this is the case along with the type of area, social impact, community benefits and unique characteristics.
- 3.5 With regards to the Policy and how the Council 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.

The Council will also need to have regard to any relevant code of practice issued by the Secretary of State, guidance issued by the Gambling Commission, how they exercise their functions consistent with the objectives and in accordance with the policy itself.

- 3.6 Since its publication in January 2022, the current Gambling policy has proved effective in guiding Officers, Members, the holders of licences and other authorisations granted under the Gambling Act 2005, plus members of the public, in understanding how the Authority will apply its' discretion and use its powers under the Act. It is therefore not considered necessary to greatly change the information contained in the current Gambling policy.
- 3.7 Additionally, the Gambling Commission is currently undertaking a review of the Social Responsibility Code of Practice, which will be done in stages with the final changes likely to be in force on 17<sup>th</sup> January 2025. The commission will review test purchasing, strengthen age verification from 'Think 21' to a 'Think 25' approach (if a person looks under 25 they will be asked to verify their age to prove they are in fact over 18 years old and permitted to gamble) and will also look at financial vulnerability checks. The Gambling Commission has indicated that Local Authorities should still proceed with their updated Policy as the proposals in the Code of Practice should not impact the Local Authority statement of policy – refer to Gambling Commission [statement](#).

#### Consultation on the Gambling Policy

- 3.8 Section 349 of the Gambling Act 2005 provides that in preparing a revision of the statement of Gambling policy, the Authority shall consult with:
- The Chief Officer of police for the Authority's area;
  - 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.
- 3.9 The Gambling Commission guidance explains that this is "deliberately wide" as it allows Licensing Authorities to undertake a comprehensive consultation exercise with anyone who may be affected by, or otherwise have an interest in, their Gambling policy. The Guidance further provides that "it is a matter for licensing authorities to develop their own consultation practices, including the methods for consultation and who they consider it necessary to consult with, which might include consultation with relevant local groups, businesses and responsible authorities.

- 3.10 It is proposed that the consultation process should follow a similar format to previous years and as only minimal changes are proposed to the existing Gambling policy, the duration of the consultation will be 12 weeks. This will include:
- Formal notification to the Chief Officer of Police, as specifically required under the Gambling Act 2005;
  - Written notification to
    - Responsible Authorities under the Act, and
    - Local gambling businesses, including their head office where appropriate;
  - Formal consultation via the Local Authority website to allow local residents, community groups, businesses and others to respond;
  - Consultation with other departments in respect of local risk assessments; and
  - Social media and other avenues will be used to publicise the consultation.

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

21 <sup>st</sup> May 2024	First Draft of Policy to the Licensing and Regulatory Committee
1 <sup>st</sup> June 2024 – 31 <sup>st</sup> August 2024	Consultation on Gambling Policy – Send out letters and put on the website.
17 <sup>th</sup> Sept 2024	Final Draft, results of consultation to the Licensing and Regulatory Committee
24 <sup>th</sup> October 2024	Gambling Policy report to Full Council
End of Nov 2024	Legal Notice in Newspaper
3 <sup>rd</sup> January 2025	Publication of Gambling Policy
31 <sup>st</sup> January 2025	Commencement of Gambling Policy

**4. 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.

**8. BACKGROUND PAPERS:**

1. [Monmouthshire County Council's Statement of Gambling Policy 2022](#)
2. [Gambling Act 2005](#)
3. [The Gambling Act 2005 \(Licensing Authority Policy Statement\) \(England and Wales\) Regulations 2006](#)
4. [Gambling Commission Guidance to Local Authorities](#)

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