

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Statement of Gambling Policy and Proposals for Casinos

DIRECTORATE: Social Care, Safeguarding and Health

MEETING: Full Council

Date to be considered: 24th October 2024

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.
- 1.2 To agree the Council's 'Statement of Gambling Policy 2025'.

2. RECOMMENDATION(S):

- 2.1 To refuse any casino applications made under the Gambling Act 2005, and stated within the Authority's Gambling Policy.
- 2.2 To adopt the 'Statement of Gambling Policy 2025' for Monmouthshire County Council, provided in Appendix A (changes highlighted in red).

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.
- 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 The Policy must be approved by Full Council and can last for a period of three years, in accordance with Section 154(2) of the Gambling Act 2005. It further states within Section 349 the prior to approval consultation must take place 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.

3.7 The revised policy must be published and in place for commencement on 31st January 2025. Licensing Officers within Monmouthshire, Torfaen, Caerphilly, Blaenau Gwent and Newport has worked collaboratively with the aim of all five Authorities adopting this Policy, subject to changes pertinent to each Authorities area and character.

3.8 At the Licensing and Regulatory Committee on 21st May 2024, Members agreed in principle to retain the current resolution not to issue casino licences within the County of Monmouthshire prior to consideration at Full Council. They further agreed at this meeting to review the 'Statement of Gambling Policy 2025', following the consultation period of this document, which ended on 31st August 2024. Responses were received on this consultation from GambleAware, Aneurin Bevan Public Health Team, Aneurin Bevan University Health Board and GamCare and their recommendations has been included under Section 2.6 of the proposed policy. Members reviewed the recommended Policy following consultation at the Licensing and Regulation on 17th September 2024 prior to submission at Full Council.

3.9 At these meetings, Members were made aware that 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.

3.10 Additionally, it was noted that 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 17th 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](#).

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:

- SLT
- Cabinet Members
- Chairs of Select Committee
- Head of Legal Services
- Relevant bodies as outlines in 3.6 and 3.7 above
- The Licensing and Regulatory Committee (21st May 2024 and 17th September 2024)

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](#)

9. AUTHOR:

Linda O’Gorman
Principal Licensing Officer

CONTACT DETAILS:

Tel: 01633 644214

Email: lindaogorman@monmouthshire.gov.uk