

## CYNGOR SIR CEREDIGION COUNTY COUNCIL

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| <b><u>Report to:</u></b>                            | Council   |
| <b><u>Date of meeting:</u></b>                      | 20 March 2025   |
| <b><u>Title:</u></b>                                | Statement of Gambling Policy 2025-2028 and proposals for casinos  |
| <b><u>Purpose of the report:</u></b>                | For Cabinet to consider the Draft Statement of Gambling Policy 2025, and to consider whether the Authority's "No Casino Resolution" with regard to casino premises applications should be retained. |
| <b><u>For:</u></b>                                  | Decision  |
| <b><u>Cabinet Portfolio and Cabinet Member:</u></b> | Councillor Matthew Vaux (Partnerships, Housing, Legal and Governance and Public Protection)   |

### **Introduction**

One of the key functions of each Licensing Authority is to prepare and publish a Statement of Gambling Policy which sets out the basis upon which the Authority will make its licence application decisions. The duty to do this is contained within Section 349 of the Gambling Act 2005 which also requires the Licensing Authority to keep its Policy Statement under review generally, but to determine its Policy at least every 3 years, including undertaking a period of statutory consultation. The current three-year period began on 29<sup>th</sup> March 2022. Ceredigion has therefore entered the review period. The revised Gambling Policy (**Appendix A**) will replace the current policy (proposed minor changes to the current policy are highlighted in red).

The Statement of Policy forms the licensing authority's approach to managing local gambling provisions and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality. The Statement of Policy acts as the primary vehicle for setting out the licensing authority's approach to regulation having taken into account local circumstances.

Since its publication in March 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.

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 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.

The Gambling Act is still being reviewed and the Gambling Commission's Policy Manager has issued the following statement:

*"As required by the Gambling Act 2005 each Licensing Authority is required to renew their Statement every 3 years. The renewal date in this current cycle is January 2025. The Commission is advising that you should make plans as to how to conduct this renewal process.*

*"Given the ongoing consultations regarding the Gambling Act it is very unlikely that we will be able to amend the Guidance to Licensing Authorities document in sufficient time for you to incorporate changes within your own Statement.*

*"Whilst it is a matter for local determination, we suggest that the Statement is refreshed in line with the requirements of the Act so as to be enforceable from January 2025. Thereafter we will publish a revised GLA which you can include in a refreshed Statement. You are permitted to revise your Statement within the 3-year timescale".*

### **Casinos**

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.

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.

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 Cyngor Sir Ceredigion would have to satisfy them that this is the case along with the type of area, social impact, community benefits and unique characteristics.

### **Consultation on the Gambling Policy**

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.

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”.

It was agreed that the consultation process followed a similar format to previous years and as only minimal changes are proposed to the existing Gambling policy, the duration of the consultation would be 8 weeks. This included:

- 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 were used to publicise the consultation.

### **Consultation**

The draft Policy, attached as Appendix A has been consulted upon in accordance with the Gambling Commission’s Guidance to Licensing Authorities.

This included consultation with all Responsible Authorities under the Act, all Premises Licence Holders, and persons/bodies representative of businesses and residents in its area as well as all Elected Members of the County Council, Town and Community Councils and other consultees indicated in Appendix B of the draft policy statement.

### **Consultation Responses**

The consultation period ran from 25 October 2024 until 20 December 2024. The responses are attached as Appendix B and the consultation questions are attached in Appendix C.

We received eight responses to the consultation, six of these were from residents of Ceredigion. In 2021, we received thirteen responses and five in 2018.

Two responses indicated that consideration should be made to making very minor changes to the draft policy. One of these related to changes on pages 9, 10 and 13 from ‘think 21’ to ‘think 25’. The second response was that there could be a greater link to the adverse health effects associated with problem gambling.

None of the respondents indicated that they had experienced gambling related problems in their communities.

Careful consideration was given to the responses and relevant information provided by those who responded to the consultation has included where appropriate.

The Policy will be further reviewed when the new Gambling Act is published and further guidance is received from the Gambling Association on the links between health and gambling.

**Wellbeing of Future Generations:**

**Has an Integrated Impact Assessment been completed? If, not, please state why.**

Yes – see Appendix D.

**Summary of Integrated Impact Assessment:**

**Long term:** There is a requirement to review the authority’s statement of gambling policy at least every 3 years and it will need to be further reviewed when the Gambling Act review is published.

It’s likely that the next review will provide a more long-term vision to protect people from harmful gambling practices, with particular emphasis on new technology.

**Collaboration:** Collaboration takes place between the licensing authority, the other neighbouring authorities and all Wales expert licensing panel. The collaboration addressed common themes affecting all authorities but did not address local issues or considerations particular to each authority.

**Involvement:** On an ongoing basis, Interested Parties can make representations about new licence applications, or apply for a review of an existing licence.

An Interested Party is someone who  
(a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities;  
(b) Has business interests that might be affected by the authorised activities; or

Represents persons in either of the two groups above.

**Prevention:** There is an emphasis on prevention as the policy and the licensing process ensures that a number of checks and safeguards are in place before a licence is granted.

Ongoing, compliance visits are carried out and checks are made to ensure that responsible gambling practices are followed by the gambling premises.

**Integration:** When a new application for permission and authorisation under the Gambling Act is received, the following are asked for feedback on the application:

- Public Health Wales
- Trading Standards
- Health and Safety team
- Planning Policy
- MAWW Fire & Rescue Service
- Children and Adult Services

- Dyfed Powys Police
- Home Office Alcohol Licencing team

This ensures a broad spectrum of views and ensures a strategic fit with the objectives of other public bodies as well as relevant service areas in the Council.

**Recommendation(s):**

That Council:

1. follow the recommendation made by Cabinet to retain the “no casino” Resolution and the decision recorded and added to the final policy, and
2. approve the revised Statement of Gambling Policy as the Statement of Gambling Policy for Ceredigion for the period 2025 – 2028.

**Reasons for decision:**

To fulfil statutory requirements to review and publish a Statement of Gambling Policy in accordance with the requirements of the Section 349 of the Gambling Act 2005 and to improve public safety and clarity for the licensed trade within Ceredigion.

**Overview and Scrutiny:**

The policy was considered by the Licensing Committee at its last meeting on 19 February 2025.

**Policy Framework:**

Corporate Strategy 2022-2027

**Corporate Well-being Objectives:**

Boosting the Economy, Supporting Businesses and Enabling Employment

**Finance and Procurement implications:**

Within budget

**Legal Implications:**

If the authority does not have a policy, decisions could be subject to legal challenge.

**Staffing implications:**

No additional staff resources required.

**Property / asset implications:**

N/A

**Risk(s):**

Legal challenge / Reputational risk if the authority does not operate a statutory policy.

**Statutory Powers:**

Gambling Act 2005 and any Regulations made under the Act. The decision is the responsibility of the Council.

**Background Papers:**

None.

**Appendices:**

Appendix A – Draft Statement of Gambling Act 2005 Policy 2025-2028

Appendix B – Responses to 2024 consultation

Appendix C – Consultation questions

Appendix D – Integrated Impact Assessment

**Corporate Lead Officer:**

Alun Williams (Policy, Performance and Public Protection)

**Reporting Officer:**

Anne-Louise Davies (Trading Standards & Licensing Manager)

**Date:**

11/3/2025