



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

COUNCIL

27th NOVEMBER 2024

**GAMBLING ACT 2005
STATEMENT OF PRINCIPLES (LOCAL POLICY) 2025-2028**

**REPORT OF DIRECTOR, PUBLIC HEALTH, PROTECTION AND
COMMUNITY SERVICES IN DISCUSSIONS WITH THE CABINET MEMBER
FOR PUBLIC HEALTH AND COMMUNITIES**

**Author(s): Rhian Hope, Head of Public Protection and Regulatory
Services and Martyn Owen - Assistant Licensing Manager**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval of the revised Statement of Principles, under the provisions of the Gambling Act 2005 (i.e. the local policy statement for the management of gambling activity within the boundary of Rhondda Cynon Taf County Borough Council), for the period 2025 – 2028 in accordance with statutory requirements.

2. RECOMMENDATIONS

It is recommended that Council:

- 2.1 Consider the new Gambling Act 2005 - Statement of Principles (Local Policy) 2025-28.
- 2.2 Approve the new Gambling Act 2005 - Statement of Principles (Local Policy) 2025-2028 as set out in appendix 1 in line with statutory requirements.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Section 349 of the Gambling Act 2005 dictates that a Licensing Authority, here being Rhondda Cynon Taf County Borough Council, shall before each successive period of three years,
- a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period; and
 - b) publish the statement.

- 3.2 The recommendations set out in this report are to ensure Rhondda Cynon Taf County Borough Council delivers its obligations under the said Act.

4. BACKGROUND

- 4.1 Subject to approval, the proposed Statement of Principles must be published by 2nd January 2025 in order to come into effect on 31st January 2025.

4.1.1 The Statement of Principles is the policy framework which sets out the expectations of the Licensing Authority in matters relevant to the Gambling Act 2005. (The title 'Statement of Principles' is used to differentiate the document from the Licensing Policy which refers specifically to matters determined under the Licensing Act 2003).

4.1.2 There is a statutory requirement to review the Statement of Principles on a 3 yearly basis and the current statement has therefore been subject to review.

4.1.3 The process for the review is very prescriptive, in that the Gambling Commission have set out in their Statutory Guidance both the format and content of the Statement of Principles. Whilst it is recognised that the position of respective Licensing Authorities may vary according to the local needs of their area, the format of all policy statements will essentially be the same. This is considered to be in the interest of the trade to enable there to be effective assessment of the policy documents and ease of comparison between authorities.

4.2 Statement Review

4.2.1 The gambling trade in Rhondda Cynon Taf is very well regulated. The trade is essentially static, with little change in trading position from month to month. Complaints are minimal; licence changes are rare and to date there have been no contested applications which have required determination by the Licensing Committee. As a consequence, there is a 'light touch' approach to enforcement.

4.2.2 The Licensing Authority does however, work closely with the Gambling Commission in respect of complaints received, legislative change and best practice which may impact on gambling activity in our communities.

4.2.3 In view of the foregoing and having considered the very limited amendments to the legislation in the past three years, it is considered that the current Statement of Principles (2022-2025) continues to be fit for purpose.

- 4.2.4 It has however been reviewed to take account of legislative change and best practice. Such changes do not affect the position of the Licensing Authority in the way it regulates gambling activity in the public interest within Rhondda Cynon Taf.
- 4.2.5 A copy of the Draft Gambling Act 2005 Statement of Principles (Local Policy) for 2025 to 2028 is provided as Appendix 1.

5. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

- 5.1 An Equality Impact Assessment (EqIA) screening form has been prepared for the purpose of this report. It has been found that a full EqIA is not required.
- 5.2 The report does not impact on any one group more than others, except for in a positive nature towards children. The safeguarding of children is a significant consideration for Rhondda Cynon Taf County Borough Council as well as a number of other organisations. This report is compiled with the intention of keeping children safe and minimising the risk of them coming to harm through access to gambling.

6. WELSH LANGUAGE IMPLICATIONS

- 6.1 A Welsh Language Impact assessment has been completed. It is deemed that the amendments proposed are demographic neutral and will not negatively impact on Welsh language. All applications and consents and web pages will be available in English and Welsh.

7. CONSULTATION / INVOLVEMENT

- 7.1 The statutory guidance sets out the format of consultation required for the document. The governing principle is proportionality of the type and scale of consultation to the potential impacts of the proposal or decision being taken.
- 7.2 It is also accepted that there may be circumstances where consultation is not appropriate, for example, for minor or technical amendments to regulation or existing policy frameworks, particularly where adequate consultation has taken place at an earlier stage.
- 7.3 Based on agreements with the Gambling Commission for previous reviews and given the very minor changes introduced, it was agreed to a consultation period date of 15th July 2024 to 4th August 2024.
- 7.4 The draft policy was sent to relevant authorities such as the Gambling Commission and Public Health Wales. No comments were received by the Authority.

7.5 The draft report was presented to the Licensing Committee on 10th September 2024, who endorsed it and were happy to commend to Council.

7.6 It is to be noted that the Gambling Commission is expecting to be updating advice and legislation in 2025. Once this information is known the policy may be further reviewed and updated.

8. FINANCIAL IMPLICATION(S)

8.1 There are no financial implications arising from this report.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

9.1 Section 349 of the Gambling Act 2005 dictates that a Licensing Authority, here being Rhondda Cynon Taf County Borough Council, shall, before each successive period of three years:

- a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period; and
- b) publish the statement.

9.2 Failure to prepare a Statement of Principles and publish it at least 4 weeks before 31st January 2025 will result in Rhondda Cynon Taf County Borough Council failing to exercise their Statutory functions.

10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

10.1 Gambling is a widespread and socially acceptable activity in the UK. While most people who participate in gambling activities, do so without any significant problems, for others gambling is problematic, causing damage to their health and to wider society.

10.2 Data from Welsh Harmful Gambling Survey 2018 Wales indicates from a sample size of 4034, based on population, estimates that approximately 18,000 people in Wales were “problem” gamblers in 2018. 24,000 were moderate-risk gamblers and 52,000 were low-risk gamblers (Gambling Commission, 2018)

10.3 Gambling is an emerging public health issue in Wales.

10.4 This Policy will help to achieve a transparent and cohesive approach by all gambling premises within Rhondda Cynon Taf and those responsible for the safe and effective management of those premises.

- 10.5 One of the key focusses within the policy is the intention for betting establishments to give careful consideration to applications for premises located near schools or other venues frequented by children and young adults, as well as licensed premises selling alcohol and religious buildings. Each premises must compile a local area risk assessment and review these continuously.
- 10.6 These considerations within the Policy clearly contribute to delivering the Council's priority for improving health and supporting residents within the community.
- 10.7 Keeping children safe from harm is not just a local priority but a significant national concern. This policy assists in working towards this which in turn promotes the Well-being of Future Generations Act.
- 10.8 This report has been considered for evidence of the Five Ways of Working and how it may contribute to our Well-being Objectives.
- Prevention and collaboration: the purpose of the policy is to protect the public by improving standards across the Borough and provide clear vision to all of the Council's practices and decision making.
 - Involvement: This policy is subject to consultation before the Council may consider any changes.
 - For the Wellbeing and Future Generations Act the extension of the Scheme will link with:
 - A healthier Wales.
 - A prosperous Wales.
 - A Wales of Cohesive Communities.
- 10.9 Consideration has also been given to the RCT Corporate Plan 2024-2030, in particular - People and Communities – supporting and empowering Rhondda Cynon Taf residents and communities to live safe, healthy and fulfilling lives. This policy will contribute to assisting this aspect.

11. CONCLUSION

- 11.1 Having considered the highly regulated nature of the gambling trade in Rhondda Cynon Taf, together with the relatively minor changes to legislation in the preceding 3 years, the current Statement of Principles continues to be fit for purpose, requiring only very minor amendment.
- 11.2 A copy of the Draft Statement of Principles is attached (**Appendix 1**) and it is proposed that this be accepted as the Statement of Principles for the forthcoming period 31st January 2025 – 2028.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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CABINET MEMBER FOR PUBLIC HEALTH AND COMMUNITIES**

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Background Papers:

None

Officer to contact:

Martyn Owen, Assistant Licensing Manager

Relevant Scrutiny Committee

Community Services Scrutiny Committee