

MID SUFFOLK DISTRICT COUNCIL

TO: Council	REPORT NUMBER: MC/21/11
FROM: Cllr Kathie Guthrie: Chair of Licensing & Regulatory Committee	DATE OF MEETING: 23 September 2021
OFFICER: Cassandra Clements – Assistant Director Environment & Commercial	KEY DECISION REF NO. N/A

GAMBLING ACT 2005: 'NO CASINO' RESOLUTION

1. PURPOSE OF REPORT

- 1.1 Following on from Licensing and Regulatory Committee meeting on 16 August 2021: That Full Council consider whether to pass a 'No Casino' resolution under section 166 of the Gambling Act 2005 ("The Act")

2. OPTIONS CONSIDERED

- 2.1 All options to be considered are contained within the recommendations below.

3. RECOMMENDATIONS

- 3.1 That Council consider whether to adopt a 'No Casino' resolution based on the evidence base contained within this report as put forward by Licensing & Regulatory Committee on the 16 August 2021; and
- 3.2 That if the Council resolves not to adopt a 'No Casino' resolution this matter will not be debated again unless the allocation under the Gambling Act 2005 is increased by the Secretary of State.

REASON FOR DECISION

On 19 December 2018 Licensing and Regulatory Committee brought before Full Council the recommendation to resolve whether to adopt a "No Casino" resolution.

This report was referred back to the Licensing and Regulatory Committee for the provision of an evidence base regarding the resolution in order for the Council to make a final determination.

4. KEY INFORMATION

- 4.1 The decision to pass such a resolution may only be taken by the Council and cannot be delegated to the Licensing and Regulatory Committee.
- 4.2 The Gambling Act 2005 ('the Act') became effective in September 2007. Contained within the provisions of the Act, under section 174, there are three new types of casino; small, large and regional (the super casino) which is in addition to the numbers of casinos from the previous legislation. The Act under section 175 has set

a limit of the numbers of these types of new casino; 8 Small, 8 Large and 1 Regional. This provision was available to all of England and Wales.

- 4.3 In 2006, 68 Local Authorities submitted bids for the allocation of the new types of casino under the Act (Mid Suffolk did not bid to have a casino within its district). 16 Local Authorities were granted the allocation of small and large types of casino in 2007, however the Regional (super casino) fell by the wayside and is unlikely to be resurrected having been initially awarded to Manchester City Council. The information on this is attached as **Appendix A**.
- 4.4 Under section 349 of the Act, a Local Authority is required to review and republish its 'Statement of Principles' that it proposes to apply in exercising its functions under the Act every 3 years. The latest review requires the revised document to be adopted and published on or by 3 January 2022 to take effect from 31 January 2022. The 'Statement of Principles' will be applied alongside the legislation and guidance published by the Gambling Commission (which may be revised from time to time).
- 4.5 The decision to adopt the 'Statement of Principles' may only be taken by the Council and cannot be delegated to the Licensing and Regulatory Committee. A 'No Casino' resolution would form part of the Statement of Principles.

EVIDENCE FOR COUNCIL TO CONSIDER

- 4.6 The Council has previously held three such votes on a 'No Casino' resolution, the last vote being taken in 2018, this was held prior to the consultation on the Gambling Act 2005 'Statement of Principles' of that year. No previous votes have resulted in a 'No Casino' resolution being passed.
- 4.7 The concern regarding casinos stemmed from a Planning Application for Snowoasis which included plans to have a casino as part of the proposed activities on the site. This application has since been withdrawn and the new proposed development in this area, Valley Ridge, has removed all reference to the provision of a casino. The information on this development is attached as **Appendix B**.
- 4.8 Mid Suffolk District Council Licensing Authority have received no applications for a casino from when the 2005 Act came into force to present day.
- 4.9 None of the surrounding District and Borough Councils that border Mid Suffolk District Council have adopted a 'No Casino' resolution.
- 4.10 If a 'No Casino' resolution is not adopted at this time this does not prevent the Council from choosing to adopt such a resolution in the future should the need arise.
- 4.11 The allocations granted in 2006 have been taken up by other local authorities. As a result there is currently no provision for a new casino anywhere in England and Wales.
- 4.12 Further, as the full allocation for casinos under the Act has been granted, it would need a suitable economic climate and the political will of Government for the Secretary of State to lay legislation for a further allocation of casinos. A further allocation is highly unlikely to happen in the foreseeable future.

4.13 Mid Suffolk would be required to bid on such an allocation if a further provision of casinos were ever to become available. A further allocation is highly unlikely to become available in the foreseeable future as Central Government are currently tightening restrictions with regards to Gambling.

5. LINKS TO CORPORATE PLAN

- 5.1 The Council in its Corporate plan states that we aim to support local businesses, jobs, and economic resilience. A 'No Casino' resolution would incur opportunity risks of:
- Missed opportunity for income to the Council as set out in the financial implications below.
 - Missed opportunity for increased employment opportunities within the District.
 - Missed opportunity to bring further tourism and revenue into the District.

6. FINANCIAL IMPLICATIONS

- 6.1 If the Council were to adopt a 'No Casino' resolution, this would prevent casino premises from being established within the district and would prevent the Council from obtaining any licence fees in respect of these.
- 6.2 The initial application fee for a small casino is £8,000, and thereafter £5,000 a year. The initial application fee for a large casino is £10,000, and thereafter £10,000 a year.
- 6.3 The Licensing service is self-financing, and non-profit making. Therefore, any increase in fee income would have to be offset against administration costs, which would include inspection and enforcement.

7. LEGAL IMPLICATIONS

- 7.1 The legal implications are set out in the body of this report.
- 7.2 The legislation is clear in that only the Council can determine a resolution under s166. All members of Council including members of the Licensing and Regulatory Committee can contribute to any debate relating to this matter.

8. RISK MANAGEMENT

- 8.1 This report is most closely linked with the Council's Significant Business Risk No. 14 - Councils may be perceived to be untrustworthy and have a poor reputation. If the Council decide not to adopt a 'No Casino' resolution and a future casino application is granted the further Key risks may arise:

Risk Description	Likelihood	Impact	Mitigation Measures
Casinos do not revive local economies <i>I don't really understand this as a 'risk'?</i>	2 - Unlikely	2 – Noticeable	Reviewed, revised and reconsulted every three years in line with the Statement of Principles

A casino could have an adverse impact on local property	2- Unlikely	2 - Noticeable	Reviewed, revised and reconsulted every three years in line with the Statement of Principles
Gambling is perceived by many to be negative and can have an adverse effect on individuals who become addicted, lack social interaction-and/or overspend. There is a potential for money laundering	2- Unlikely	2-Noticeable	Reviewed, revised and reconsulted every three years in line with the Statement of Principles
If a No Casino Resolution is adopted there will be additional costs to the Council due to the requirement to reconsult on the Statement of Principles	3 - Likely	2 - Noticeable	The only way to mitigate this risk is to not adopt the No Casino Resolution.

9. CONSULTATIONS

- 9.1 No consultations have taken place, however, should a 'No Casino' resolution be passed then the Council's 'Statement of Principles' will be consulted upon during the statutory three yearly revision this year.

10. EQUALITY ANALYSIS

- 10.1 There are no links to any significant risks arising directly from this report.

11. ENVIRONMENTAL IMPLICATIONS

- 11.1 There are no direct Environmental Implications arising from this report.

12. APPENDICES

Title	Location
(a) Gambling Act 2005 Overall Limits and Map of Casino Locations	Attached
(b) Valley Ridge Proposal	Attached

13. BACKGROUND DOCUMENTS

Gambling Act 2005

The Gambling Commission's Guidance to Licensing Authorities 2021 Edition

Mid Suffolk District Council: Statement of Principles

Licensing & Regulatory Committee Meeting & Minutes - 7 December 2018

Mid Suffolk Full Council Meeting & Minutes – 18 December 2018

14. REPORT AUTHORS

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