

LICENSING COMMITTEE – 26 JUNE 2018

Title of paper:	Consideration of Draft Statement of Gambling Policy		
Director:	Andrew Errington Director – Community Protection	Wards affected:	ALL
Report author:	Angela Rawson 0115 8761749 Angela.rawson@nottinghamcity.gov.uk		
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Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input checked="" type="checkbox"/>
Schools			<input type="checkbox"/>
Planning and Housing			<input type="checkbox"/>
Community Services			<input type="checkbox"/>
Energy, Sustainability and Customer			<input type="checkbox"/>
Jobs, Growth and Transport			<input type="checkbox"/>
Adults, Health and Community Sector			<input type="checkbox"/>
Children, Early Intervention and Early Years			<input type="checkbox"/>
Leisure and Culture			<input checked="" type="checkbox"/>
Resources and Neighbourhood Regeneration			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
The report asks the Committee to consider, comment on and note the draft Statement of Gambling Policy prior to its submission to Council on 09 July 2018 for release to public consultation.			
Recommendation:			
1	That the draft Statement of Gambling Policy at appendix 1 be noted.		

1 REASONS FOR RECOMMENDATIONS

- 1.1 It is a statutory requirement that the Council, as Licensing Authority, adopt a new Statement of Policy relating to gambling to come into effect from 31 January 2019.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 As a Licensing Authority for the purposes of the Gambling Act 2005, the Council is required to produce and publish a Statement of Gambling Policy (the “Statement”). A new Statement is required to come into force for the three year period commencing 31 January 2019.

- 2.2 The purpose of the Statement is to inform individuals making application for licence, of the Authority's standards and values in promoting the licensing objectives within the framework of the Act and approved guidance issued by the Gambling Commission under the Act.
- 2.3 Before determining any amendment to its Statement, the Licensing Authority must consult with:
- The chief officer of police for the 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 this Act
- 2.4 The Council's current Statement is felt to have worked well within the City and no major changes are proposed. The Statement has however been reviewed and refreshed in the light current demographics and legislative and administrative changes. The Council is however obliged to consider whether it wishes to renew its "No Casino Resolution", which will expire alongside the existing Statement. The Committee's view would therefore be welcomed as to whether this should form part of the consultation process and more detail regarding the history of the resolution and the reasons for it can be found in Appendix 2 of the draft Statement.
- 2.5 It is proposed that consultation on the proposed amendments should last for a period of 8 weeks.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 None – statutory requirement

4 FINANCE COLLEAGUE COMMENTS

- 4.1 The fees levied for the regime are intended to include the cost of the review of the Statement of Gambling Policy.
- 4.2 The cost of delivering the gambling regime itself is recovered from application fees that have been set within statutory fee limits.

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS

- 5.1 As indicated in the main body of the report the Council is statutorily obliged to renew its Statement of Gambling Policy in to come into effect in January 2019.
- 5.2 Under the Local Authorities (Functions and Responsibilities) (England) Regulations the production of this policy is one which is "not the sole function of the Executive". As this Committee is required to apply the Statement and take it into account when exercising its functions in relation to matters where representations are received it was felt appropriate to inform/consult the Committee before the consultation draft Statement is referred to Council In July and prior to formal consultation.
- 5.3 Views will be sought as to whether the Council should retain its "No Casino Resolution". The Casinos permitted under the Gambling Act are all much larger than those that are currently licensed by the Council under conversion rights and Section 175 of the Act

places a statutory limit on the number of new Casino Licences which can be granted nationally. It also states that the Secretary of State shall specify which Authorities may issue such licences and prohibits applications for new licenses being made to other Authorities. As this Authority did not bid for one of the new licences and has not been specified as an authority which can grant them applicants are therefore prohibited from applying to this Authority for a new casino licence in any event.

Whilst the Secretary of State can increase the number of Casino Licences available by way of Order then so long as this Authority did not bid for such additional licences and was not prescribed by an Order as an authority which could grant such licences applicants would remain prohibited from making Casino applications to the City Council unless there was an amendment to the Gambling Act itself. There is no expectation that the Act will be amended at this time but consideration still needs to be given to whether a “No Casino Resolution” should be passed when the Statement is ultimately put before Council for adoption.

Ann Barrett, Team Leader, Legal Services - 1 June 2018

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS

6.1 N/A

7 EQUALITY IMPACT ASSESSMENT

7.1 No as an EIA is not needed as the report does not contain any proposals or financial decision.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

8.1 None

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

9.1 Gambling Act 2005

9.2 Guidance to Licensing Authorities 5th Edition, September 2015
(further amended September 2016)