

# Nottingham City Council

## Licensing Committee

Minutes of the meeting held at Loxley House, Station Street, Nottingham, NG2 3NG on 04 June 2024 from 9.31 am - 9.51 am

### Membership

#### Present

Councillor Audrey Dinnall (Chair)  
Councillor Leslie Ayoola  
Councillor Anwar Khan  
Councillor Devontay Okure  
Councillor Shuguftah Quddoos

#### Absent

Councillor Gul Khan (Vice Chair)  
Councillor Graham Chapman  
Councillor Faith Gakanje-Ajala  
Councillor Samuel Gardiner  
Councillor Zafran Khan  
Councillor Farzanna Mahmood  
Councillor Matt Shannon

### Colleagues, partners and others in attendance:

Ann Barrett - Team Leader, Legal Services  
Nick Burns - Licensing and Policy Manager  
Mike Carey - Governance Officer

### 19 Apologies for absence

Councillor Matt Shannon – work commitments.

### 20 Declarations of interests

None.

### 21 Minutes

The Committee agreed the minutes of the meeting held on 14 November 2023 and they were signed by the Chair.

### 22 Consideration of Draft Statement of Gambling Policy

Nick Burns, Licensing and Policy Manager, presented the report on the Draft Statement of Gambling Policy, highlighting the following points:

- (a) in fulfilment of its statutory responsibilities under the Gambling Act 2005, Nottingham City Council adopted its current Statement of Gambling Policy to take effect from 31<sup>st</sup> January 2022 for a three-year period. A new Statement of Gambling Policy must be adopted to take effect from 31<sup>st</sup> January 2025. This must be published before the authority carries out any function with respect to individual applications under the terms of the Act;

- (a) adopting the Statement of Gambling Policy is a matter reserved to full Council. This report gives the Licensing Committee the opportunity to note and comment on the draft Statement of Gambling Policy before it is brought to City Council in July, to be released for consultation, before returning to Council in November for formal adoption including any amendments arising from the consultation;
- (b) the policy must promote the licensing objectives outlined in the Act and follow Gambling Commission guidance, taking account of local circumstances;
- (c) before amending the policy, the authority must undertake a consultation. It must specifically consult:
  - i. the chief officer of the police for the area;
  - ii. 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
  - iii. 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.
- (d) It is proposed that a public consultation will be undertaken for a period of eight weeks, commencing Friday 12 July 2024 and concluding Friday 6 September 2024;
- (e) in reviewing the policy, the authority has the option to retain or dispose of its 'no casinos resolution', originally adopted in 2006 and readopted every three years. It is recommended that this resolution is retained in the updated policy, so that no new premises licences will be issued for casinos in the City of Nottingham;
- (f) other updates include a demographic update, legislative update, and administrative amendments. The licensing team have moved address from Byron House to Eastcroft, and this will be reflected in the policy.
- (g) two amendments to the Policy are proposed before it is put to Council for release for consultation which have been noted since the report was published:
  - i. to update Schedule 2 to make it clear that it is proposed that the "No Casino" resolution be renewed and
  - ii. to amend paragraph 3.3 of the main Policy which contained an incorrect address

Ann Barrett, Team Leader for Legal Services, gave advice:

- (h) the role of the Licensing Committee is consultative, so the report has come to the Committee for comment and for noting the draft Statement of Gambling

Policy in advance of the report being brought to City Council for release to public consultation;

- (i) despite the 'no casinos resolution', there are casinos in the City which had 'grandfather rights' under the Gambling Act 2005. The 'no casinos resolution' refers to casinos as defined by the Gambling Act 2005, for which the government released a certain number of licences which local authorities could bid for if they wished. Unless legislation changes and the Council made a bid the Council cannot therefore grant one of these much larger casino licences in any event.

In the discussion which followed, and in response to questions from the Committee, the following points were made:

- (j) the fees associated with undertaking this licensing function are at the maximum level set by legislation, so cannot be increased without a legislative change;
- (k) the consultation will be open to all members of the public. Gambling institutions and all the City Councillors will have an opportunity to comment during the consultation;
- (l) the policy will not be reported back to Licensing Committee post consultation as it will be for full Council to consider any consultation responses and make any necessary amendments on adoption;
- (m) the policy outlines the Council's overall strategy for meeting the three licensing objectives:
  - i. prevention of gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
  - ii. ensuring that gambling is conducted in a fair and open way;
  - iii. protecting children and other vulnerable persons from being harmed or exploited by gambling.
- (n) Potential harms from gambling can impact on some communities more than others. An Equality Impact Assessment will be conducted alongside the consultation, with the aim of ensuring the policy fairly meets the licensing objectives for all residents;
- (o) the licensing team are confident that the current schedule will allow the policy to be adopted in time for implementation on 31 January 2025;
- (p) the Council's strategy as licensing authority is one part of a broader regulatory regime, including the Gambling Commission itself. Any decisions on individual licences must be consistent with the regulatory framework, including the authority's role in promoting the licensing objectives and following the national guidance;

- (q) the updated statement has been formulated in line with updated guidance. Although it must be updated every three years, with the next review due in 2028, the policy can be reviewed sooner if updated legislation, guidance, or changed local circumstances make it appropriate.

**Resolved that the draft Statement of Gambling Policy (including proposed amendments and recommendation to renew the “No Casino” Resolution) be noted and supported.**