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**Nottingham
City Council**

You are hereby summoned to attend a meeting of **City Council** at Council Chamber, the Council House on Monday, 8 July 2024 at 2.00 pm to transact the following business

- 1 Apologies for absence**
- 2 Declarations of interests**
- 3 Questions from citizens** To follow
- 4 Petitions from Councillors on behalf of citizens** Verbal
- 5 To confirm the minutes of the last meeting of Council held on 20 May 2024** 3 - 22
- 6 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive** Verbal
- 7 Questions from Councillors - to the City Council's lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority** To follow
- 8 Questions from Councillors - to a member of Executive Board, the Chair of a Committee and the Chair of any other City Council body** To follow
- 9 Decisions taken under Urgency Procedures** 23 - 28
Report of the Leader of the Council
- 10 Establishment of a New Accommodation Business Improvement District (Accommodation BID)** 29 - 36
Report of the Executive Member for Skills, Growth and Economic Development
- 11 Nottingham Community Safety Partnership Strategy 2024 - 2027** 37 - 70
Report of the Executive Member for Communities, Waste and Equalities
- 12 Review of Statement of Gambling Policy** 71 - 114
Report of the Chair of Licensing Committee
- 13 Amendments to the Constitution** 115 - 120
Report of the Chair of the Health and Wellbeing Board
- 14 Extraordinary Council Meeting**
To agree to hold an Extraordinary Council meeting on 5 August 2024 6pm to consider the appointment of Chief Executive/ Head of Paid Service; and the Council's Improvement Plan.

Please note that questions to Council are received after the agenda has been published. Questions will be published as a supplementary agenda by 5pm on Friday 5 July.

If you need any advice on declaring an Interest in any item on the agenda, please contact the Governance Services Team, if possible before the day of the meeting.

Citizens are advised that this meeting may be recorded, including by members of the public. Any recording or reporting on this meeting should take place in accordance with the Council's policy on recording and reporting on public meetings, which is available at www.nottinghamcity.gov.uk. Individuals intending to record the meeting are asked to notify the Governance Services Team in advance.



Dated: 28 June 2024

Director for Legal and Governance

To: All Councillors of Nottingham City Council

Public Document Pack Agenda Item 5

Minutes of the meeting of the City Council

held at the Council Chamber, Council House

on 20 May 2024 from 6.00 pm - 7.50 pm

Attendances:

✓ Councillor Carole McCulloch (Lord Mayor) [from Item 3]	
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✓ Councillor Saj Ahmad	✓ Councillor Sam Lux
✓ Councillor Liaqat Ali	✓ Councillor Sulcan Mahmood
✓ Councillor Leslie Ayoola	✓ Councillor Farzanna Mahmood
✓ Councillor Cheryl Barnard	✓ Councillor AJ Matsiko
✓ Councillor Steve Battlemuch	✓ Councillor David Mellen
✓ Councillor Graham Chapman	✓ Councillor Sajid Mohammed
✓ Councillor Kevin Clarke	✓ Councillor Fozia Mubashar
✓ Councillor Audrey Dinnall	✓ Councillor Salma Mumtaz
✓ Councillor Michael Edwards	✓ Councillor Sana Nasir
✓ Councillor Nadia Farhat	✓ Councillor Devontay Okure
✓ Councillor Faith Gakanje-Ajala	✓ Councillor Nayab Patel
Councillor Samuel Gardiner	✓ Councillor Georgia Power
✓ Councillor Sam Harris	✓ Councillor Shuguftah Quddoos
✓ Councillor Jay Hayes	✓ Councillor Ethan Radford
✓ Councillor Patience Uloma Ifediora	✓ Councillor Nick Raine
✓ Councillor Imran Jalil	✓ Councillor Eunice Regan
✓ Councillor Corall Jenkins	Councillor Sarita-Marie Rehman-Wall
Councillor Maria Joannou	✓ Councillor Samina Riaz
✓ Councillor Kirsty Jones	✓ Councillor Andrew Rule
✓ Councillor Kirsty L Jones	✓ Councillor Naim Salim
✓ Councillor Helen Kalsi	✓ Councillor Michael Savage
✓ Councillor Angela Kandola	✓ Councillor Matt Shannon
✓ Councillor Anwar Khan	✓ Councillor Hayley Spain
✓ Councillor Zafran Nawaz Khan	Councillor Maria Watson
✓ Councillor Gul Nawaz Khan	✓ Councillor Adele Williams
✓ Councillor Neghat Khan	✓ Councillor Linda Woodings
✓ Councillor Pavlos Kotsonis	✓ Councillor Audra Wynter

✓ Indicates present at meeting

1 Chair

In the absence of the Lord Mayor, the meeting was chaired by the Sheriff/ Vice Chair of Council, Councillor Shuguftah Quddoos.

2 Election of Lord Mayor

Councillor David Mellen proposed Councillor Carole McCulloch as Lord Mayor for municipal year 2024/25. This was seconded by Councillor Helen Kalsi.

Resolved to elect Councillor Carole McCulloch as Lord Mayor for municipal year 2024/25 until the next Annual General Meeting of Council.

As the newly elected Lord Mayor, Councillor Carole McCulloch chaired for the remainder of the meeting.

3 Appointment of Sheriff

Councillor Georgia Power proposed Councillor Liaqat Ali as Sheriff for municipal year 2024/25. This was seconded by Councillor Sajid Mohammed.

Resolved to appoint Councillor Liaqat Ali as Sheriff for municipal year 2024/25 until the next Annual General Meeting of Council.

4 Apologies for absence

Councillor Sam Gardiner – unwell
Councillor Maria Joannou - personal
Councillor Sarita-Marie Rehman-Wall – personal
Councillor Maria Watson - personal

5 Declarations of interests

None

6 Election of Leader of the Council

Councillor David Mellen proposed Councillor Neghat Khan as Leader of the Council. This was seconded by Councillor Patience Ifediora.

Councillor Kevin Clarke proposed Councillor Andrew Rule as Leader of the Council. This was seconded by Councillor Kirsty M Jones.

Resolved to:

- (1) note that Councillor David Mellen had resigned as Leader of the Council; and**
- (2) elect Councillor Neghat Khan as Leader of the Council for a term of office of three years starting on 20 May 2024 and ending on the day of the next Annual General Meeting of Full Council held after all Council elections (May 2027).**

7 Questions from citizens

Use of resources

A citizen asked the following question of the Executive Member for Finance and Resources:

With restrictions on spending why are bushes cut on Trent Bridge near the Embankment Public House on a Sunday at 05.30? Also, our road was resurfaced

from the Levelling Up Fund, which meant our street was closed from 08.00-17.00 on a Friday which is our bin collection day. We expected an early morning collection, before the work began at 08.00, this didn't happen, and instead our bin was collected on Sunday. Could better planning save money as I'm sure the staff would have either been on overtime or enhanced pay for working a Sunday?

Councillor Linda Woodings replied as follows:

Thank you Lord Mayor. I'd like to start by thanking this citizen for their question. They have flagged highway works that took place on their street and the fact that their bins weren't collected until two days later on the following Sunday because of the works that took place. So in relation to those highway works, the programme of highway improvements has been fully externally funded and delivered by the Council as part of the Streets for People programme. I think that all councillors in this Chamber will have had work carried out in their ward and seen improvements delivered by the Council's Highways Service to over 150 kilometres worth of roads footpaths and cycleways and, in addition, the Scheme has delivered ½ a kilometre of urban greening, it has planted over 200 trees, and it has introduced hundreds of traffic-calming measures, especially around sensitive locations such as schools. Wherever possible works in residential areas are scheduled to avoid waste collection days, but those works are also subject to the weather and so there are occasions where dates have to be delayed and it causes disruption to other services as a result of that. When that happens the Council always seeks to manage the impact on residents. Where possible with such schemes we recover costs from the external funding body, but where this isn't possible on occasion the Council will absorb limited unplanned costs of collecting bins on a Sunday. So it wasn't planned to do that, but it was just the way it actually turned out and obviously this resident had their road resurfaced and they had their bin collected all in the space of 48 hours. Given that the programme has so far delivered £11½ million worth of highway improvements across the city and roads that have been upgraded are less likely to suffer from persistent potholes and other defects that require short-term and temporary solutions, the rare occasions where service disruption creates additional costs for the Council is massively outweighed by the benefits of the Streets for People programme, which is delivering for our neighbourhoods and communities. Whether there were additional costs incurred in relation to that scheme I can't confirm without extra information on the exact street and date, but I am really pleased that the Streets for People programme has delivered highways improvements in this citizen's local area, and that service disruption associated with that was very quickly addressed.

The second part of the query is about bushes being cut around the Embankment Public House at 5.30am. I can confirm 'no', the Council has not cut any bushes in that area in recent weeks, not since February actually. However, there has been what is called tractor flail cutting. I'm told that's when you have a tractor that goes along country roads and it cuts the hedges and trees back as it goes along. That has taken place as part of the Winter Maintenance Programme between November and February and, if the question refers to those time periods, I can confirm that those operations are carried out in the early hours of the morning because of traffic. If we didn't do that, we might have to implement a Traffic Management Order, which costs about £2000 at a busier time of the day or week. As a result, the actual cost of the work is reduced even though we had to do that work in the early hours of the morning. Thank you.

8 Petitions from Councillors on behalf of citizens

Councillor Andrew Rule presented a petition on behalf of residents of Garrett Grove and Farriers Green asking the Council to improve flood mitigation measures on Council owned land adjacent to Garrett Grove and Farriers Green through the installation of a 'French Drain' along the entirety of the boundary of the field from Garrett Grove to Farriers Green.

9 To confirm the minutes of the last meeting of Council held on 4 March 2024

The minutes of the meeting held on 4 March 2024 were confirmed as an accurate record and signed by the Chair.

10 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive

The Chief Executive made the following announcement:

Catherine Underwood, Corporate Director for People Services, will be leaving the Council at the end of June. Having started her career in mental health services and becoming a registered social worker, Catherine has given many years service to local authorities and the NHS, before joining the Council in 2018. She became the Director of Adult Social Care and in 2019 was appointed as Corporate Director for People with responsibility for key statutory services including adult social care, children's social care, youth justice, education and public health. I would like to thank her for her service to the Council and wish her well for the future.

11 Questions from Councillors - to the City Council's lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority

None

12 Questions from Councillors - to a member of Executive Board, the Chair of a Committee and the Chair of any other City Council body

Leader of the Council

Councillor Adele Williams asked the following question of the Leader of the Council: Would the Leader of the Council join me in thanking Councillor David Mellen for his exemplary hard work and commitment as Leader for five years and as a Portfolio Holder for eleven years?

Councillor Neghat Khan replied as follows:

Thank you Lord Mayor, and can I thank Councillor Williams for her question. I am pleased that my first speech here to you all as Leader is to thank my friend and ward colleague David Mellen for his service to our city and for his selflessness. All of us, even those in the Opposition Group, will have memories of David's leadership, where his calm, compassion and generosity have shone through. His time as Leader has been one that has seen many challenges: the Covid pandemic; a Conservative Government that has continued to reduce Council funding; Brexit; the collapse of Intu Broadmarsh; the closure of Robin Hood Energy; the imposition of a Government-appointed Improvement and Assurance Board; and our city becoming global news when terror was visited upon our streets last year. In these tough times however, he

has dug in and delivered. We now have the new Broadmarsh bus station and car park and can see the first shoots of a new green heart for the city. There are hundreds of new social homes; support for people into employment, education, and training; a successfully reopened Nottingham Castle; and, probably most dear to him, our new Central Library. The new Labour mayor for the East Midlands is down to David's hard work with colleagues in neighbouring councils to follow through on a new combined authority. The bio buses, electric bin lorries, and wildflower verges are a testament to his commitment to our Carbon-Neutral 2028 goal. The free children's books in hundreds of our homes across our city are down to him and his close friend Dolly. As the leader of our Labour Group, he was just as giving. Time and care were taken for each one of us, and flowers or a card would always arrive in tough moments or celebrations. Nothing was deemed to be too small for him to help out on. I sincerely hope that he takes a moment to look back at his time and his achievements over the Summer. David, thank you – not only for your service to Nottingham, but for your resolve, commitment, and dedication to the people of our city. Thank you.

Deputy Leader of the Council

Councillor Audrey Dinnall asked the following question of the Deputy Leader of the Council:

Would the Deputy Leader of the Council join me in thanking Councillor Audra Wynter for all her hard work as Deputy Leader and Portfolio Holder for Finance under one of the most challenging years that this Council has had to face?

Councillor Ethan Radford replied as follows:

Thank you Lord Mayor. I will certainly join Councillor Dinnall in thanking Councillor Wynter for her hard work as Deputy Leader and Portfolio Holder for Finance this last year and, as Councillor Dinnall says, the last year has been incredibly challenging for the Council, and more importantly for residents across the city. Audra will have known that Nottingham faced a hugely challenging year when she put her name forward. 24 years of Tory austerity bit ever deeper, and an increasingly demanding Improvement and Assurance Board hung over the Council. She would have known how the role she was taking on would be awash with significant political difficulties and that there would be few happy moments. She threw herself into those challenges with her usual determination and steadiness, characteristics that are of great benefit in such monumentally challenging times. That speaks a great deal to Councillor Wynter's character - her refusal to be perturbed by any obstacle and continuing to forge her path regardless. It is therefore little surprise that she smashed the glass ceiling that existed before her tenure, by becoming the first Deputy Leader of our great city from a black, Asian and minority ethnic (BAME) background. To be sure, that glass ceiling stood no chance against her forthright and sometimes straightforward, no-nonsense approach, something which I hope I will display in equal amounts. The fact that within the space of two solitary years our Council has had a Deputy Leader and now Leader, both strong, proud BAME women should give us a great sense of pride, not just political gimmicks. I hope that young women from Nottingham's diverse communities can look to leaders like Councillor Wynter and Councillor Khan, our first BAME women in leadership, and know that they too can reach the highest levels of public service and leadership in our city. Until we start shattering glass ceilings instead of reinforcing them, we'll never make politics accessible to everyone, and as long as that is the case our politics will never be equal, fair or just. It is the responsibility of all of us in this Chamber to achieve that,

regardless of the Party we belong, for the ward we are privileged enough to represent; and in Councillor Wynter we have an inspiring figure that can focus our minds to show that it can and must be done. Now we must continue to do our best, despite the challenging times we face, and I cannot pretend, nor should I, that they won't be challenging. The mission of this Council is to make the lives of residents across this city better. It will take all of us. It will take fierce determination and a forthright directness to challenge ourselves to be better – all of which are traits that Councillor Wynter has demonstrated, and while she may no longer be Deputy Leader it is of no doubt that she has a huge role to play and will help us deliver on that mission for Nottingham people for years ahead. So, on behalf of Nottingham Labour, on behalf of this Council and the people of Nottingham, I'd like to thank Councillor Wynter.

East Midlands Combined County Authority Mayor and Nottinghamshire Police and Crime Commissioner

Councillor Angela Kandola asked the following question of the Leader of the Council: Could the Leader of the Council explain how she feels that the new Combined County Authority Mayor and Police and Crime Commissioner will help Nottingham City Council in achieving the aims of our Council Plan?

Councillor Neghat Khan replied as follows:

Thank you Lord Mayor and thank you Councillor Kandola for the question. Firstly, I'd like to congratulate the new East Midlands Mayor Claire Ward and Nottinghamshire Police and Crime Commissioner Gary Godden on their election. I look forward to working with them for Nottingham. It was a resounding victory for the Labour Party, taking over 50% of the vote in the city and a 50,000 vote lead over the Tories across the region. Many here played key roles in their election and I want to pay tribute to our campaigns officers - Councillor Woodings and Councillor Kandola - for their hard work. The new Combined Authority will be key driver for investment across our region. Our Council Plan has bold pledges around our local infrastructure, supporting businesses and protecting our environment, so I see the Combined Authority as a vital ally in getting the best for Nottingham people. I sincerely hope that we can make the case for transport funding, support for our high streets, proper investment in the skills needed for the workplaces of tomorrow, and spades in the ground building new homes and neighbourhoods for families. Claire Ward will support our city's tourism by establishing Visit East Midlands, sharing with everyone what our amazing region has to offer, and all underpinned by green, carbon-reducing pledges to safeguard our environment. Devolution will help to address historic under-investment in the East Midlands. The opportunities on the table include: a £1.14 billion devolved investment fund for our region - at least £38 million per year over 30 years; a brand new city region sustainable transport settlement of over £1.5 billion; and devolution of adult education budget to improve local skills worth approximately £50 million per year; but this is just the starting point. Working with Claire, I want the East Midlands to become a devolution trailblazer. The success, growth, and impact of combined authorities in the West Midlands and Greater Manchester have seen these areas awarded further powers and funding from Government. We could achieve the same for Nottingham. I have worked closely with previous Police and Crime Commissioners and I hope the city builds a similar relationship with Gary. When residents tell us about antisocial behaviour and crime in their area, we know that the Council working in partnership with the police and communities achieves the most change. I am proud that by working with Nottingham Community Safety Partnership

we have developed many programmes and projects that have helped make Nottingham safer. Some of these activities are supported through funding received from the Police and Crime Commissioner, such as programmes combating modern slavery, violence against women and girls, serious violence, and I hope that these will continue as we move forward with Gary making Nottingham City safer for our communities.

Private rented housing sector

Councillor Georgia Power asked the following question of the Executive Member for Housing and Planning:

Does the Executive Member believe this Government has failed private renters in Nottingham?

Councillor Jay Hayes replied as follows:

Thank you Lord-Mayor. Councillor Power: yes, I do believe that Government has failed private renters in Nottingham. Currently there are over 30,000 households living in the private rented sector who have been impacted by the lack of action from this Government to address the ongoing housing crisis. The Government has proposed a Renters Reform Bill that is making its way through parliament at the moment. This has been long overdue and some aspects of it have already been watered down. While the ban on Section 21 No-Fault Evictions is a step in the right direction, there are still loopholes and a backdoor way of forcing people out of their homes by the landlords. I, personally, would like to see the Bill go further than what is proposed by this Government. I think all unfair evictions must end and tenants should have much more secure tenancies in their private accommodation. More time and support needs to be given to renters who are facing eviction from their properties. Currently they have about a couple of months, two months, to leave their properties and find another private rental. This should be extended and along with that I also believe the upfront costs of private renting need to be addressed as well. The Local Housing Allowance has a massive impact on housing in the private sector. In Nottingham rent increases have been some of the highest outside of London, while support to cover increased rent has not matched rent increases. Many families who are in work, as many have full-time jobs or are working two jobs, are still having to find £300-£400 per month to top up their rent from the Local Housing Allowance. Now, I welcome the Government increasing this Local Housing Allowance for this year, but on the next four years Government policy freezes it, so we are constantly in this cycle of increasing rents and pay not keeping up, which means we will see more demand on our housing and homelessness services. Alongside this, energy-efficient targets for homes in the private rental sector have been scrapped, which means people in private renting are having to pay more and more for their bills because their houses are not up to a decent standard. However, while the Government has lacked action in the private rental sector, here in Nottingham we have been doing a lot of work. Not only have we been building more council houses and more houses with registered providers, in the private sector, as seen across my ward in Bestwood, we've got hundreds of new houses being built. We've also introduced an elective licencing scheme which has helped to bring the standard of private rented houses up to ensure that our tenants have a safe and secure place to live. We've also been working hard leading in the retrofitting of not just our council houses but of private houses helping us to lower the cost and reach our carbon neutral target of 2028. So the Government needs to do more. I'm sure a Labour Government will do a lot more going forward.

Local government funding

Councillor Helen Kalsi asked the following question of the Executive Member for Finance and Resources:

The latest Local Government Association (LGA) research found a £4bn funding gap facing local government in England. Councillors across the country have been calling out for the funding we desperately need. Does the Portfolio Holder think the Tory Government is either ignorant or just doesn't care about the impact of the Tory cuts across the country?

Councillor Linda Woodings replied as follows:

Thank you Lord Mayor, and thank you Councillor Kalsi for your question. In January the LGA pointed out the gross inadequacy of funding facing councils across England. The sum of £4 billion is an astronomical figure, but that is just the shortfall for England for this financial year only. In fact, as you have heard many a time in this Council Chamber, over the last 10 years Nottingham has had its Government Revenue Support Grant cut by £100 million pounds per year, and that level of cuts in funding has been replicated across the country, leading to severe challenges for all councils to fund their statutory duties. Government policy dictates that the shortfall is pushed down onto local council taxpayers, and it is grossly unfair that the people of Nottingham should have to shoulder the burden of paying for services that, in truth, should be funded from national taxation. But you've heard that many times before, so I'll come to the main part of this question - has the Conservative Government done this out of ignorance, or do they just not care about the effect of cuts to local services? Well sadly the answer is not an either/or, it's actually both. Now I'm using the term 'ignorance', not to mean stupidity, but in the terms of a government that is wholly out of touch with the lives of ordinary people, because when you have inherited wealth, and your parents paid for your private education at elite schools, and you've never known the strain of family finances at an average wage level, you'll have a complete lack of understanding about how devastating some of the decisions you have made are on the lives of ordinary people. Soaring energy bills? Well, Rishi Sunak never had to think about them - he and his wife are now richer than the King today. Unbelievable! Struggling to meet your mortgage payments? Well Jeremy Hunt never had to worry about that, did he? Soaring food bills? Well, if you've never had to check the prices as you go around your weekly supermarket shop, how could you understand that food prices are up 25%. So, with a front bench of millionaire ministers, it's little wonder there is no understanding of the devastating effect of the cuts they've inflicted on the lives of ordinary people. There is a lack of compassion too, a lack of care in this government, because making the less well-off pay more, and therefore suffer more, is actually necessary if you need to keep your wealthy friends, press magnates and financial backers on side. You only have to look at the Open Democracy website to see these funders and their areas of interest - in fact last year the Tory party raked in £44.5 million in private donations including £10 million from the racist Frank Hester, £5m from him and £5m from his company which profited from public sector contracts. What policies do we see as a result of this? Well, up until last year Corporation Tax had been slashed to just 19%; National Insurance cuts benefited the richest households by 12 times more than the poorest; the highest rate of tax was cut so that millionaires got an additional £40,000 per year; and the non-domicile status was protected along with offshore tax havens; and the cap on bankers' bonuses lifted. Let's contrast this with the policies that affect you and I - crippling underfunding of the NHS and councils; devastating cuts to benefits;

and wages not keeping pace with inflation. So, people like you and I have to pay so that the Conservatives can line their and their friends' pockets, and the Tories will tell you it's everyone else fault but theirs for the state of this country. They started out blaming single mothers – do you remember that? Then the trade unions, then the EU, then migrant workers, illegal immigrants, trans people, lefty lawyers and 'The Wokerati'. Now it's people who can't work due to illness and disability who are being held responsible for the stagnation of the UK economy. What a disgrace. In truth it's their fear of losing power and being exposed. We've had years of short-term policies designed to get the Tories though the next few months, and in truth this Tory Government hasn't governed over the last 4 years, it has campaigned. Last week Jeremy Hunt bragged about his Government's economic record, whereas in truth we've had the worst decade of productivity growth since the Industrial Revolution, with stagnant incomes and deepening regional inequality. In fact, the Tories main convictions are based around self-service and survival. They are a party out of ideas, a party of few principles. They have utterly failed to address the structural inadequacies underpinning our economy with an over reliance on service industry, low wages and skills; a lack of investment in people and communities; and not building the infrastructure that is needed for a modern 21st century country. The Labour Party has already put forward just some of the steps which will put the country back on a stable economic foundation - house building; a Great British Energy company with green jobs and skills, moving away from fossil fuels to green energy; safer streets with proper community policing; rebuilding the NHS to reduce waiting times so that if you are sick you can get back to work, because the NHS has actually treated you; and removing barriers to opportunity by improving education. Our Labour Party takes nothing for granted, we know it's a long way to the General Election and we here at Nottingham Labour will play our part to fight for our city, our people, and our services to put the 'Great' back into 'Great Britain'.

Levelling Up and regional investment

Councillor Gul Khan asked the following question of the Executive Member for Finance and Resources:

Does the Portfolio Holder agree that this Conservative Government has broken its promises on Levelling Up and now that we have a Labour Combined Authority Mayor elected for the East Midlands what effect do they think this will have on investment into the region and our city?

Councillor Linda Woodings replied as follows:

Thank you Lord Mayor, and thank you Councillor Khan for your question. Now, I think that all of us will remember that Levelling Up was a catchphrase thought up by Boris Johnson in 2019, a name for his plan to bring economic prosperity to the left-behind towns and cities. I should just say that I think that it's disgraceful that a Government department has been named after a Tory catchphrase. However, Levelling Up has turned out to be a bit like the Tory party: something close to a scam, with so far only 10% of the promised funds made available to regenerate struggling areas according to the House of Commons Public Accounts Committee. That does not, of course, invalidate the basic idea. The UK, and England in particular, remains absurdly centrist and riven by the huge economic gap between London and the South-East, and almost everywhere else. There has been a plethora of different grants promised under the label of Levelling Up. First the Towns Fund; then the beauty pageant of the Levelling Up funding bids, where, by the way, the Financial Times pointed out just this week that deprived areas have substantially lost out to

wealthier areas; then the UK Shared Prosperity Fund, a domestic replacement for the European Structural and Investment Programme; and several smaller schemes as well which were supposed to show visible delivery of regeneration projects in the space of a few years. The problem is that the Public Accounts Committee has said it can see “no compelling examples” of delivery to date. In fact, the Committee Chair described Levelling Up as a sticking plaster over the huge reductions to local government funding. Councils have complained of big delays in decisions being made, leading to unachievable spending deadlines, expensive bidding processes, and a lack of transparency and unfairness in the way money was allocated. Recent high inflation caused by Liz Truss and Kwasi Kwarteng has also devalued grants because of the increase in construction costs. However, the real scandal is that areas with high levels of deprivation have missed out on this funding, for example in the £3.6 billion English Towns Fund, 101 towns were selected by ministers in the first trench for one-off regeneration cash and there was a very close correlation to marginal Tory electoral seats. I wonder how that could have happened? One example of a successful bid came from Cheadle, a leafy Tory marginal seat on the edge of Cheshire with very low levels of deprivation. The Public Accounts Committee in its report in 2020 concluded that the allocations had not been impartial.

So I am really pleased that we have a devolution deal and a combined authority, bringing £1.14 billion of investment into the region over the next 30 years and the potential for more, because the East Midlands is the most underfunded region per head of population in United Kingdom, and the people of this region and our city deserve better. What do we hope this would contribute towards? How about a train link to East Midlands airport; an integrated transport plan; smart ticketing across the region on public transport; better connectivity; skills funding that meets the needs of Nottingham companies; affordable housing on the more expensive to develop brownfield sites; and a retrofitting of homes to make them more carbon efficient and cheaper to heat; and the development of green jobs and skills. What we hope for in a Labour Mayor is not actually favourable treatment for Labour areas, it's simply a fair chance at getting some of the additional investment that will be available. My biggest fear was that with a Tory Mayor would see more of what we saw under Levelling Up, with investment steered towards the many Tory marginal seats in the East Midlands that they need to retain at the next General Election to stay in power. With Claire Ward I'm now confident that we will have both transparency and objectivity in decisions about funding, and we councils won't have to waste millions of pounds pointlessly developing bids for projects. So, I welcome the convincing win by Labour's Claire Ward, and I am confident that her integrity and intent to genuine collaboration will steer the vital decisions that are needed to bring our region and our city forward. Thank you.

Nottingham Forest

Councillor Kevin Clarke asked the following question of the Leader of the Council: The Leader of the Council will appreciate the huge disappointment caused to Nottingham Forest's fans, in the City and beyond, by the Council's protracted negotiations over the City Ground. Will she take the opportunity to confirm the Council will leave no stone unturned to ensure Nottingham Forest remain at the City Ground?

Councillor Neghat Khan replied as follows:

Thank you Lord Mayor, and can I thank Councillor Clarke for the question. I'd like to be clear that I do not want Nottingham Forest to move from the City Ground. It's the

historic home of one of our city's great football clubs. Neither the Council nor the fans want this. The songs from the terraces at the Chelsea game last week are a clear indication that the mist needs to keep rolling in off the Trent, not the M1. I've asked for a meeting with both the owner and the chairman to try to help to resolve this. The Council owns the land that the City Ground sits on. We have been in talks with the club for some time to look at the future of the site. This includes retaining the current arrangement, negotiating a new lease, or potentially selling the freehold on a permanent basis, all at a fair market value. Despite what you might read in the media, the Council has been actively negotiating with Nottingham Forest. We provided heads of terms for a new leasing arrangement, and for the freehold sale of the ground to the club in March. We are yet to receive a substantial response to either option. It is disappointing that the club have not responded to the options presented to them, and to hear that Forest might be looking to relocate. The Council is proud of Forest's history and Brian Clough's Miracle Men, and we recognise the positive media attention, visitors and income the club bring to our city. It is important to understand that the Council is legally bound by the need to seek best value for taxpayers. No local authority can subsidise a Premier League football club, and we are seeking an independently evaluated market rate for the site, nothing more, which is in line with our statutory requirements. The rent increase is less than Forest has been reportedly paying a player who hasn't made a first team appearance since January 2021. We are ready to continue negotiations but can only do that if Forest come back with meaningful, comparable evidence on their evaluation of the site, which we have repeatedly requested. The City Ground lease has been discussed for a long time now, and it is important to say again that the Council remains committed to finding a solution which works for both parties. I hope that working with the club we can secure Forest's future at the City Ground, and that they go from strength to strength on the pitch and off it.

Victoria Market

Councillor Kirsty M Jones asked the following question of the Executive Member for Carbon Reduction, Leisure and Culture:

Can the Portfolio Holder provide an update on current developments with Victoria Market?

Councillor Sam Lux replied as follows:

Thank you Lord-Mayor and thank you to Councillor Jones for her question. Following a decision by Executive Board in 2022 the Council has sought to achieve an early exit and surrender it from its current lease. As has been reported previously the Council had agreed terms and did have the opportunity to exit in early 2023 but was unfortunately unable to reach a satisfactory agreement with all the market traders to secure an exit at that stage. Recent meetings with traders have confirmed that the Council is still seeking to close the market and officers met operators of the Victoria Shopping Centre last month to discuss which exit options now exist. As the new Executive Member I will be meeting with officers in the coming days to discuss the options available to us to deliver the decision we took as a Council in 2022 to close the market. We will continue a regular dialogue with traders as we work towards achieving this outcome as quickly as possible. Thank you.

High-rise flats

Councillor Kevin Clarke asked the following question of the Executive Member for Housing and Planning:

The Portfolio Holder will be aware that in April the lift system at Southchurch Court was non-operational for almost a week. Would the Portfolio Holder agree with me that high-rise flats are totally unacceptable places to live for families with small children and for pensioners with mobility constraints who are unable to exit the building without the aid of the lifts?

Councillor Jay Hayes replied as follows:

Thank you Lord-Mayor, and thank you Councillor Clarke for your question. The incident which caused the lifts to be out of action at Southchurch Court was a rare occurrence. There was a fire in a flat which caused the sprinkler system to go off, and the sprinkler system damaged both lifts. I'm happy that the sprinkler system worked, it shows that our fire safety systems and protocols kept everybody safe and there were no deaths reported in this incident. The lifts were out of use for about five days while emergency work was being prepared and prioritised for the lifts to be repaired. A package of support was put in place to provide assistance for people who needed it, for example getting essential shopping or medication for those that need it and couldn't get out. While there have been challenges and we understand that there was challenges for residents as there was for us, officers have reassured me and I will assure Council that we have reviewed everything that happened in this incident and we will implement any learning going forward.

You mention allocations and people living in flats. The Council's current allocation policy is under review. Other cities do place families and elderly residents in high rise buildings, whereas we currently don't, and we're going to be doing a review. We may do, we may not, who knows? While understanding that there is concern with residents, certainly the elderly and families, in flats, you also have to balance that with the people on our waiting list – we've got over 10,000. The Conservative Government, that you supported, scrapped housing targets but we've continued to build them and we have a commitment from our Labour Mayor to build more houses. We have to allocate all of our properties based on need and assessment, and sometimes it does mean that families and elderly will be placed in flats. Many people have lived in those flats most of their lives and they don't want to move and it's suitable for them. So, until you get more members in this Chamber, we will continue dealing with the allocations policies and all the policies across the Council going forward. Finally, I'd like to take this opportunity to thank our Fire Service and our officers for ensuring that everything went to plan and that there were no fatalities during this incident.

Loxley House

Councillor Andrew Rule asked the following question of the Executive Member for Skills, Growth and Economic Development:

Now that the third and fourth floor of Loxley House have been mothballed, can the Portfolio Holder confirm what their long term plan is to ensure that this now dead space does not result in holding costs for the Council?

Councillor Ethan Radford replied as follows:

Thank you Lord Mayor, and thank you Councillor Rule. Forgive me, when you said 'dead space' I thought you were referring to Ben Bradley's political future following the mayoral elections. Nevertheless, Councillor Rule, I can assure you there are no specific holding costs associated with the closure of those floors while the rest of the building remains open. The closure of floors three and four at Loxley House was taken forward to reduce the level of running costs associated with the building with

the aim of achieving a £200,000 annual saving, the progress toward which we are monitoring since the closure of the floors in March. I can tell you we are currently considering options to let out the floors to third-party occupiers. In the long term we will be reviewing all of our administrative estate to ensure the scale is in keeping with the Council's needs and so that the allocation of resources is distributed in such a way that best meets the needs of the Nottingham people. I hope that puts your mind at ease.

Council improvement

Councillor Kevin Clarke asked the following question of the Leader of the Council: Given the final report by the Improvement and Assurance Board concludes that the Council's failure to deliver change has raised a concern that it has "still not fully accepted the gravity of the situation", can the Leader of the Council confirm what internal changes she will be prioritising to ensure that Nottingham residents can be assured the controlling group has accepted the gravity of the Council's situation.

Councillor Neghat Khan replied as follows:

Thank you, Lord Mayor. Thank you Councillor Clarke for this question. I would though like to ask my own question: do the Nottingham Independents grasp the seriousness of this situation? The proposals that you bring to this Chamber suggest you are the ones who do not accept the gravity of 14 years of continued cuts to our budgets. Nottingham Labour, however, has been working hard with officers to deliver solutions. We've worked with the Improvement and Assurance Board and we're now working closely with the Commissioners. As Leader of this Council, I assure you and everyone here today, that our improvement journey will continue to move forward. We've never shied away from tough choices. We've confronted them, even in the face of £136 million cut from our budget this year in real terms compared with 2010. In March, this Council faced the most horrendous of choices we've ever faced in a nine-hour budget meeting. The Nottingham Independents shared no alternative budget – I repeat, no alternative budget – and abstained on the vote. I would call that abdicating their responsibility to the people of Clifton East in this Chamber. I can't even say the city, it's just Clifton East. Nottingham Labour understands well the situation. We, with heavy hearts, voted for the budget, a budget with cuts no Labour councillor would ever choose, while you sat on your hands. Do not mistake me, Councillor Clarke, over the next three years I will take no lectures from the Nottingham Independents. I assure you as Leader that my Party takes governing Nottingham seriously. Responsible leadership for this city does however come with working together and across party lines. My door is always open to our Independent councillors, should they want to discuss ideas and proposals which deliver for our city, rather than point-scoring from the side-lines. Working for the benefit of our residents will always be my first priority and I hope it is yours.

13 Establishment of, and appointments to committees and joint bodies 2024/25

Councillor Carole McCulloch, Lord Mayor and Chair of Council, proposed the report setting out proposed terms of reference and first meeting dates for Council committees in municipal year 2024/25 along with proposed memberships, substitute and chairing arrangements; and the terms of reference and City Council membership of joint committees to which Council is delegating non-executive functions. The report was seconded by Councillor Liaqat Ali.

Resolved to:

- (1) establish the following Council committees and joint committees, with terms of reference as set out in Appendix 1 to the report, for municipal year 2024/25:**
 - i) Appeals Committee**
 - ii) Appointments and Conditions of Service Committee**
 - iii) Audit Committee**
 - iv) Children and Young People Scrutiny Committee**
 - v) Communities and Environment Scrutiny Committee**
 - vi) Corporate Scrutiny Committee**
 - vii) Greater Nottingham Light Rapid Transit Advisory Committee**
 - viii) Health and Adult Social Care Scrutiny Committee**
 - ix) Health and Wellbeing Board**
 - x) Housing and City Development Scrutiny Committee**
 - xi) Independent Panel**
 - xii) Investigating and Disciplinary Committee**
 - xiii) Licensing Committee**
 - xiv) Planning Committee**
 - xv) Regulatory and Appeals Committee**
 - xvi) Standards and Governance Committee**
 - xvii) Trusts and Charities Committee**
 - xviii) Joint Committee on Mineral and Waste Planning**
 - xix) Police and Crime Panel**
 - xx) Nottingham and Nottinghamshire Integrated Care Partnership**
- (2) set the first meeting dates for Council committees and joint committees in municipal year 2024/25, as set out in Appendix 2 to the report;**
- (3) appoint the membership and substitutes, where applicable, for Council committees and the City Council membership and substitutes, where applicable, for joint committees for municipal year 2024/25, as set out in Appendix 3 to the report;**
- (4) appoint the committee chairs and vice chairs for municipal year 2024/25 for committees that Council is responsible for appointing, as set out in Appendix 3 to the report;**
- (5) amend Article 9 Non-Executive Functions and Committees of the Constitution to reflect the Council committees and joint committees established for municipal year 2024/25 and their agreed terms of reference.**

14 Executive Appointments, Committees and Delegations

Councillor Neghat Khan, Leader of the Council, proposed the report informing Council of her appointment of Deputy Leader and Executive Members; the terms of reference and membership of Executive Committees for 2024/25; and confirmation of other Executive delegations. The report was seconded by Councillor Ethan Radford.

Resolved to:

- (1) note the appointment of Councillor Ethan Radford as Deputy Leader of the Council;**
- (2) note that all references to the term ‘Portfolio Holder’ within the Council’s Executive arrangements are replaced by the term ‘Executive Member’;**
- (3) note the appointment of the following councillors as Executive Members and their areas of responsibility as set out in Appendix 1 to the report:**
 - i) Councillor Cheryl Barnard – Executive Member for Children, Young People and Education**
 - ii) Councillor Jay Hayes – Executive Member for Housing and Planning**
 - iii) Councillor Corall Jenkins – Executive Member for Communities, Waste and Equalities**
 - iv) Councillor Neghat Khan – Executive Member for Strategic Regeneration, Transport and Communications**
 - v) Councillor Pavlos Kotsonis – Executive Member for Adult Social Care and Health**
 - vi) Councillor Sam Lux – Executive Member for Carbon Reduction, Leisure and Culture**
 - vii) Councillor Ethan Radford – Executive Member for Skills, Growth and Economic Development**
 - viii) Councillor Linda Woodings – Executive Member for Finance and Resources**
- (4) note the terms of reference and first meeting dates for Executive committees in 2024/25, as set out in Appendix 2 to the report;**
- (5) note the appointments, including substitutes where appropriate, to and chairing arrangements for Executive committees, including joint arrangements, as set out in Appendix 3 to the report;**
- (6) note that the Constitution will be amended to reflect these appointments and delegations of responsibility; and**
- (7) note that all other Executive delegations, as set out in the Executive Scheme of Delegation, are confirmed.**

15 Establishment of the East Midlands Combined County Authority (EMCCA)

Councillor Neghat Khan, Leader of the Council, proposed the report informing Council of the establishment of the East Midlands Combined County Authority on 27 February 2024 and the election of a Mayor of the East Midlands on 2 May 2024. The report was seconded by Councillor Ethan Radford.

Resolved to note that:

- (1) the East Midlands Combined County Authority (EMCCA) was formally established on 27 February 2024, with the first formal board meeting held on 20 March 2024; and that the EMCCA brings with it additional investment**

funding to the area alongside devolved powers around transport, housing, skills, adult education, economic development and net zero;

(2) the EMCCA is a new body that Nottingham City Council will work in partnership with. Achieving success in Nottingham’s strategic priorities will require effective working with the EMCCA and the new Mayor and this relationship, of fundamental importance to the Council, will be a priority for the foreseeable future; and

(3) the first election for the new role of Mayor of the East Midlands took place on 2 May 2024.

16 Decisions taken under Urgency Procedures

Councillor Neghat Khan, Leader of the Council, proposed the report informing Council that, since the last report to Council in March 2024, there had been one decision taken under the urgency provisions within the Overview and Scrutiny Procedure Rules and no decisions taken under the special urgency provisions within the Access to Information Procedure Rules. Councillor Ethan Radford seconded the report.

Resolved to note that:

(1) the following decision had been taken under the Call In and Urgency provisions of the Overview and Scrutiny Procedure Rules (Article 11) of the Constitution since the last report to Council;

Decision Reference	Subject	Decision Taker	Reasons for Urgency
5106	Acceptance of grant funding from the Department for Transport	Leader of the Council	The acceptance letter had to be returned by 15 March 2024 otherwise the funding would not be available.

(2) no decisions had been taken under the special urgency provisions within the Access to Information Procedure Rules (Article 13) of the Constitution since the last report to Council.

17 Future Meeting Dates

Resolved to meet at 2pm on the following Mondays:

- 8 July 2024**
- 9 September 2024**
- 11 November 2024**
- 13 January 2025**

- 24 February 2025

The Meeting concluded at 7.50 pm

**Responses to questions from councillors requiring a written response
20 May 2024**

WQ1

**Question to be asked by Councillor Kirsty Jones requesting a written response
from the Executive Member for Carbon Reduction, Leisure and Culture**

Could the Portfolio Holder provide a breakdown of funds generated from fines and reservation costs by the City's library service since 2019, together with the costs of administering the same?

Councillor Sam Lux replied as follows:

Following the lockdown for Covid in March 2020 all charges in regard to fines and reservations were suspended and then subsequently abolished. The reason for the change was to reduce barriers for people using the Library Service and in recognition that the cost of administering, auditing and banking such small sums being taken was often not cost effective. This was also in recognition of communities having been adversely impacted by Covid and requiring support that libraries can provide. Research has identified increased take up of services in authorities which do not charge fines.

The implication of removing fines and reservation charges income was a reduction in £15,605 per annum for the last year the Council was charging in 2019/20. Alternative ways of finding those savings were made which enabled this income target to be removed from the Libraries Service budget. A small breakdown is shown below.

- Fines: Fines are a deterrent to library use, and for citizens who cannot afford fines, they have a highly disproportionate negative impact. Fines result in fears of return, or disengagement as a result of the perception of being punished.
 - In 2019 / 2020 income received from fines was: £13,682.
 - Reservation charges: Similar to the detrimental effect of fines, reservation charges serve only to create further barriers to the customers that we are seeking to encourage into our libraries.
 - In 2019 / 2020 income received from reservation charges was: £1,923.
- Total: £15,605

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City Council – 8 July 2024

Report of the Leader of the Council

Corporate Director/ Director:

Director of Legal and Governance

Report Author and Contact Details:

Jane Garrard, Senior Governance Officer

jane.garrard@nottinghamcity.gov.uk

0115 8764315

Title: Decisions taken under Urgency Procedures

Does the report form part of the Budget or Policy Framework?

Yes No

Commissioner Consideration

Has this report been shared with the Commissioners' Office? Yes No

Review by Commissioners not required.

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

1.1 The Council's Constitution requires that decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13) are reported to Full Council.

1.2 This report informs Council of decisions that have been taken under these provisions since the last report to Council in May 2024. During that period there have been three decisions taken under the urgency provisions within the Overview and Scrutiny Procedure Rules and no decisions taken under the special urgency provisions within the Access to Information Procedure Rules.

2. Recommendations

2.1 To note the decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) of the Constitution since the last report to Council, as set out in Appendix 1. Page 23

2.2 To note that no decisions have been taken under the special urgency provisions within the Access to Information Procedure Rules (Article 13) of the Constitution since the last report to Council.

3. Reasons for recommendations

3.1 The Council's Constitution requires that decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13) are reported to the next available meeting of Council.

4. Other options considered in making recommendations

4.1 None. It is a Constitutional requirement that Council is informed of urgent decisions taken under provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13).

5. Consideration of Risk

5.1 A consideration of risk related to taking decisions referred to in this report took place at the time the decisions were taken and informed the decision making process that followed.

6. Best Value Considerations

6.1 The decisions referred to in this report were made in accordance with procedures set out in the Council's Constitution that are designed to support the efficient and effective discharge of Executive functions. These arrangements are regularly reviewed and, where necessary, amendments made.

7. Background (including outcomes of consultation)

7.1 Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules

7.1.1 The call-in procedure set out in Article 11 of the Constitution does not apply where the decision taken is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. A decision can only be taken under this urgency provision if the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Vice Chair; or in the absence of both, the Chief Executive) agrees that the proposed decision is reasonable in all circumstances and that the reasons for urgency are valid.

7.1.2 Since the last report to Council in May 2024, there have been three decisions taken under these urgency provisions. A summary of these decisions is set out in Appendix 1, and the decision is available on the Council's website.

7.2 Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules

7.2.1 Where it is impracticable to give at least five clear working days notice of the intention to take a Key Decision, that decision may only be made in accordance with the special urgency provisions set out in the Access to Information Procedure Rules

(Article 13 of the Constitution). These special urgency provisions require agreement from the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Lord Mayor as Chair of Council; or in the absence of both, the Sheriff as Vice Chair of Council) that the decision is urgent and cannot reasonably be deferred.

7.2.2 There have been no decisions taken under these urgency provisions since April 2023.

8. **Commissioner comments**

8.1 Review by Commissioners not required

9. **Finance colleague comments (including implications and value for money)**

9.1 Comments from Finance colleagues in relation to the decisions referred to in this report were published as part of each of those decisions.

10. **Legal colleague comments**

10.1 Comments from Legal colleagues in relation to the decisions referred to in this report were published as part of each of those decisions.

11. **Other relevant comments**

11.1 None

12. **Crime and Disorder Implications (If Applicable)**

12.1 Where applicable, details of the crime and disorder implications of the decisions referred to in this report were published as part of each of those decisions.

13. **Social value considerations (If Applicable)**

13.1 Where applicable, details of the social value considerations of the decisions referred to in this report were published as part of each of those decisions.

14. **Regard to the NHS Constitution (If Applicable)**

14.1 Where applicable, regard given to the NHS Constitution in decisions referred to in this report was published as part of each of those decisions.

15. **Equality Impact Assessment (EIA)**

15.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because this is a monitoring report, reporting on decisions that have already been taken. Where required, EIAs were published alongside each decision referred to in this report.

16. **Data Protection Impact Assessment (DPIA)**

16.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because this is a monitoring report, reporting on decisions that have already been taken. Where required, the data protection impact of the decisions referred to in this report was assessed and, where appropriate, details published as part of each of those decisions.

17. Carbon Impact Assessment (CIA)

17.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because this is a monitoring report, reporting on decisions that have already been taken. Where required, the carbon impact of the decisions referred to in this report was assessed and, where appropriate, details published as part of each of those decisions.

18. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

18.1 None

19. Published documents referred to in this report

19.1 Article 11 Overview and Scrutiny Procedure Rules of the Council's Constitution

19.2 Article 13 Access to Information Procedure Rules of the Council's Constitution

19.3 The committee reports and minutes, and delegated decisions referred to in this report, as published on the Nottingham City Council website.

Leader of the Council

Appendix 1 - Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules

Decision Reference	Date of Decision	Subject	Decision Taker	Consultee on Urgency	Reason for Urgency
5128	06/06/24	Installation of Temporary Accommodation – Bluecoat Wollaton Academy	Executive Member for Children, Young People and Schools	Chair of Corporate Scrutiny Committee	To enable the accommodation to be fitted in time for use from September 2024.
5129	07/06/24	Transportation of Passenger Transport Services and School Trips, and School Meals Transport	Leader of the Council	Chair of Corporate Scrutiny	To enable continuation of service until a Dynamic Purchasing System is in place.
5133	14/06/24	Midlands Net Zero Hub Grant Funding – Local Net Zero Programme	Leader of the Council	Chair of Corporate Scrutiny	A draft Memorandum of Understanding had just been received from the Department for Energy Security and Net Zero with sign off required by 11 June 2024.

Appendix 2 – Key Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules

There were no Key Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules during the period since the last report to Council in May 2024.

City Council - 8 July 2024

Report of the Portfolio Holder for Skills, Growth and Economic Development

Corporate Director/ Director:

Corporate Director for Growth and City Development

Report Author and Contact Details:

Elizabeth Cooper, City Centre Officer
elizabeth.cooper@nottinghamcity.gov.uk

Title: Establishment of a New Accommodation Business Improvement District (Accommodation BID)

Does the report form part of the Budget or Policy Framework?

Yes No

Commissioner Consideration

Has this report been shared with the Commissioners' Office? Yes No

Any comments the Commissioners wish to provide are listed below.

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input checked="" type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input type="checkbox"/>

1. Summary

1.1 This report outlines the key stages involved in establishing a new Accommodation Business Improvement District (Accommodation BID) for Nottingham City and seeks approval from Council to delegate authority to the Corporate Director for Growth and City Development to receive and consider the Accommodation BID proposals and to authorise entering into an Operating Agreement with the newly established Nottingham Accommodation BID Company in the event of a successful outcome of the BID Ballot.

2. Recommendations

2.1 Authorise the Corporate Director for Growth and City Development, in accordance with the requirements of The Business Improvement Districts (England) Regulations 2004 ("the Regulations"), to:

- (i) receive the Accommodation BID proposals from the Nottingham BID Company (“the BID Proposer”) on behalf of Nottingham City Council (“the Council”);
- (ii) consider the proposals to establish whether or not they are of the view that the proposals conflict with Council policy, and if so to notify the BID Proposer of any such conflict;
- (iii) approve the Accommodation BID 5 year Business Plan;
- (iv) instruct the Council’s Returning Officer as Ballot Holder to hold a BID ballot for the proposed Accommodation BID;
- (v) in the event of a vote in favour of the Accommodation BID proposal to consider whether any prescribed circumstances as defined in the Regulations apply and if so to decide whether or not to exercise a veto having regard to matters prescribed in the Regulations;
- (vi) in the event of a vote in favour of the Accommodation BID proposal and subject to any veto, to enter into an Operating Agreement under which the Council will collect the levy due on behalf of the BID.

3. Reasons for recommendations

- 3.1 Delegated authority is recommended as the Nottingham BID Company (“the BID Proposer”) is currently in the process of finalising its new Accommodation Business Improvement District (Accommodation BID) proposal documentation and consulting with accommodation businesses in the proposed BID area. The next scheduled meeting of Council is 9 September, which would not allow the time required to be ready for the BID’s proposed ballot period, which the BID Proposer has indicated they would like to be held between 2 September 2024 and 30 September 2024. Delaying this decision would result in the project development timescales not being met and consequently the delay in the planning and delivery of projects and services in early 2025. The existing Nottingham BID Company also enters the renewal process period in 2025, for the current Nottingham City Centre BID, “It’s in Nottingham” and having both ballots near to each other could prove confusing for the electorate.
- 3.2 In the event that the recommended delegation is approved and to ensure transparency, the decision will be taken and published on the Council’s website via the Council’s delegated decision-making process.
- 3.3 The Business Improvement Districts (England) Regulations 2004 (“the Regulations”) set out the documentation that the BID Proposer must send to the Billing Authority (the Council) for its consideration. The Council then has the power to consider those proposals including the business plan ensuring that they do not conflict with Council policy. If the Council concludes that it does conflict with Council policy it must notify the BID Proposer as soon as possible. In the event that the Accommodation BID proposals are approved at ballot the Regulations give the Council a power of veto in specified circumstances. In paragraph 3.6 below are the key priorities that the Council would want to see addressed in any Accommodation BID proposals. These are presented to Council for information. The ‘approval’ of the Accommodation BID proposals only occurs in the event of a ‘yes’ vote by the eligible voters. A majority by both number and rateable value is required, of those that vote.
- 3.4 The Regulations also require that the Council must hold a BID ballot on receipt of the following which must be in compliance with the Regulations:
- the Accommodation BID proposals;
 - a summary of the following:
 - i. consultation which has taken place;

- ii. proposed Business Plan;
- iii. details of the financial management arrangements for the Accommodation BID;
- iv. information to the satisfaction of the Council that the BID Proposer has sufficient funds to meet the costs of the ballot; and
- v. notice from the BID Proposer to instruct the Ballot Holder (“the Council’s Returning Officer”) to hold a BID ballot in accordance with the process set out in the Regulations.

It is anticipated that the Council will be in receipt of the above in July.

3.5 More generally, the Council has been a key partner of the Nottingham BID Company since its inception. The Nottingham BID Company currently operates a BID in the city centre, It’s in Nottingham, which is in year 4 of its current 5 year term. It’s in Nottingham activities focus on marketing and promotion of the retail and leisure offer, as well as targeting security, the night-time economy and cleansing.

3.6 The new Accommodation BID’s proposed activities are anticipated to build on the activity of It’s in Nottingham, helping to create new events and additional activities that will attract more people to visit and stay in Nottingham City, expanding the City’s visitor economy and enhancing visitor experience. The new Accommodation BID’s anticipated activities provide an excellent opportunity for the Council to work in partnership to support the realisation of aspirations for Nottingham in terms of the following Council Plan Strategic Priorities:

Green, Clean and Connected Communities

Ensuring Nottingham remains a popular visitor destination. Helping build strong and cohesive communities through delivering and promoting cultural, sporting and faith events. Continue to raise the profile of the city and contribute to its economy by attracting and supporting national and international events. Keeping the city centre and our neighbourhoods clean.

Improve the City Centre

Ensuring the city centre has something for everyone to enjoy with vibrant, welcoming venues and events that cater for students, visitors and families of all ages. Nottingham will provide access to ancient and modern heritage plus a wide range of cultural experiences.

3.7 The Council and the BID Proposer propose to work together and advance opportunities to deliver projects and services, alongside other partners and bodies. The Accommodation BID proposals will be scrutinised to ensure they do not conflict with any policies adopted by the Council. The BID Proposer is expected to identify how businesses that fall into both BIDs will be treated.

3.8 A requirement under the Regulations is that the Council must provide for the imposition, administration, collection, recovery and application of the BID levy, and it is understood that for an Accommodation BID this will be based on the occupancy levels of accommodation providers. Collection of the BID levy will be the responsibility of the Growth and City Development Department for the Accommodation BID. The terms under which the Council provides these services will be set out within an Operating Agreement between the Council and the BID Proposer and will be at no cost to Nottingham City Council, as any associated costs will be refunded by the BID. The terms of any agreement between the Parties will be negotiated and finalised in the event of a favourable ballot result for the Accommodation BID.

3.9 Costs associated with holding the ballot will be at no cost to Nottingham City Council. It is anticipated that Civica will be commissioned to run the ballot on behalf of the local authority, the cost of which will be recharged to the BID Proposer.

4. Other options considered in making recommendations

4.1 It is a requirement of the Regulations that the Council must receive and consider BID proposals when submitted. Once those proposals are assessed as to whether or not they are in conflict with Council policy, and when in receipt of the information set out in paragraph 3.4 of this report in accordance with the Regulations, the Council is then under a legal requirement to hold a BID ballot. Not receiving the Accommodation BID proposal is therefore not an option for consideration.

4.2 The reasons for requesting delegated authority for the Corporate Director to receive the proposals and consider them, as opposed to Council consideration have been explained as resulting from the need to be able to hold the BID ballot within timescales that fit the project and it would also allow some flexibility in the event of project slippage or in the event that matters require further attention by the Council.

5. Consideration of Risk

5.1 Risks posed to the Council once the Accommodation BID is established are minimal, as demonstrated during the past seventeen years of a city centre BID being in operation. The risk of the Accommodation BID not being successful at ballot is that the City will lose circa £1.7m pa of potential financial resource which would be spent on marketing and operational projects to make the City a great place to visit and do business.

6. Best Value Considerations

6.1 The Regulations require that the Council must receive and consider BID proposals when submitted. Therefore, Best Value in this regard is about enabling the establishment of a new Accommodation BID to deliver mutually beneficial services and projects, in partnerships with the Council.

7. Background (including outcomes of consultation)

7.1 The current city centre BID, It's in Nottingham, is a democratically elected business based organisation that currently brings in around £1m pa of investment into the City. It's in Nottingham works in collaboration with the Council to improve Nottingham's position as a world class city and to provide added value for Nottingham's visitors and shoppers. It provides further strong and committed business investment by almost 800 businesses in the city centre.

7.2 The proposed new Accommodation BID is expected to raise circa £1.7m pa of investment into the City. Potential projects include:

- Attracting high-quality business and consumer events into the city
- Investing in the city's brand, marketing proposition, and digital presence
- Investing in city centre management
- Creating a visitor experience which matches the welcome our guests receive
- Increasing stakeholders' ability to influence city-based infrastructure developments

Ultimately accommodation providers will decide what goes into the final business plan alongside governance and management details.

- 7.3 The Council has not yet seen the Accommodation BID proposal, but it is understood that in voting for the BID, eligible accommodation providers will pay a mandatory levy that will be used to invest back into the City to deliver the proposed Accommodation BID activities. The Levy is based on a £2 per night/per room. This would be based on the occupancy levels of the accommodation providers and would be paid in arrears and reflect actual performance. The Regulations require the performance assessment method to be robust, fair and equitable. The new proposed Accommodation BID would come into operation following a ballot of eligible businesses and when the outcome of the ballot secures a majority. The balloting process is conducted under two separate count procedures, therefore there is a need to secure a straight majority and then by majority of rateable value.
- 7.4 The establishment of a new Accommodation BID offers significant opportunity for inclusive business involvement and full engagement for the Council at both strategic and operational (project and service delivery) levels.
- 7.5 The first BID in Nottingham City, Nottingham Leisure Partnership, came into being in 2007. This Leisure BID included around 260 licensed premises in the city centre and focused on delivering services to improve the evening economy. The Retail BID was created in 2010 and covered over 700 retail premises in the city centre, with the aim of improving the city's retail performance and shoppers' experience. When the Leisure BID was due for renewal in 2012, it was decided to combine the Leisure and Retail BIDs into a single Nottingham BID, covering both sectors, to provide a clearer message to city centre businesses and strengthen and improve the performance of the retail and leisure sectors. In 2023 the Nottingham BID rebranded and became It's in Nottingham. The proposed new Accommodation BID will be City-wide and will sit separately to It's in Nottingham.
- 7.6 The BID Proposer is a legally constituted not for profit Company, governed by a BID Board. The Accommodation BID has a Shadow Board that takes responsibility for the new Accommodation BID development process. The Council will continue to be a key partner of BID Proposer.

8. Commissioner comments

- 8.1 Commissioners support the report.

9. Finance colleague comments (including implications and value for money)

- 9.1 This report seeks to establish a new Accommodation Business Improvement District (BID) which is being proposed by the Nottingham BID Company, of which Nottingham City Council is already a key partner.
- 9.2 The Accommodation BID will be voted for by accommodation providers that fall into the defined electorate, in a ballot that the BID Proposer has indicated they would like to be held between the dates of 2 September 2024 and 30 September 2024. There is no cost to Nottingham City Council, with the cost of the Ballot covered by the Nottingham BID Company.
- 9.3 Subject to a 'yes' vote, it is anticipated that the Accommodation BID will start in 2025, for an initial 5 year term. The new Accommodation BID's intended activities will enable the Nottingham City Council Plan Strategic Priorities detailed above (in point 3.6), and so is supported.

- 9.4 Accommodation providers within the City boundary and with a rateable value of £35,000 and over will be invoiced the BID levy by Economic Development within Nottingham City Council, based on a £2 per night/per room, estimated to generate circa 1.7m in funding per year. In accordance with BID regulations these monies will be passed onto the newly established Accommodation BID, with Nottingham City Council acting as an intermediary.
- 9.5 Economic Development will receive accommodation occupation data and bill in arrears, with a later repayment date to the Accommodation BID. This delay is required as to perform due diligence reconciliations on the data. This will ensure compliance with the scheme, with the work reimbursed from the fees. It is anticipated staff time will be required and we currently have a E grade at 2 days per week (0.4 FTE) earmarked for this role, however time spent on the project may vary due to volume of transactional data. This is to be reviewed after a 12 month period. If the Accommodation BID is successful at ballot, a system is required to obtain occupation data, which will be the Accommodation BID's responsibility, at no costs to Nottingham City Council.
- 9.6 Regarding the monies held by the Council in arrears, the department will ensure correct accounting treatment is adhered to, in line with the CIPFA framework, and is reflected in the budget and forecast for the service.
- 9.7 As per table below - Regarding the value and profiling this will be reviewed annually - During the 5 years term there will be no growth or attrition unless the scheme gains or loses an accommodation provider or if an accommodation provider extends its number of rooms through redevelopment. So £1.7m per year to be assumed throughout the term.

Total number of available rooms	3,160 rooms
75% Occupancy Assumed	2,370 rooms
75% occupancy of available rooms (in days p.a.)	865,050 rooms p.a.
Total revenue @ £2 visitor charge p/night (per annum)	£1,730,100 p.a.

Advice provided by Paul Rogers, Commercial Finance Business Partner, 17 June 2024

10. Legal colleague comments

- 10.1 The steps taken to date to progress the establishment of the Accommodation BID have been in compliance with the Regulations, and the future steps described in the Report also appear to be in compliance with the Regulations.
- 10.2 The recommendations set out in the Report appear to be in compliance with the Council's Constitution and will allow the Council as relevant billing authority to comply with its requirements to instruct the ballot holder to hold a BID ballot, subject to the BID Proposer first complying with the requirements of Regulations 4 (1) and 4 (2) of the Regulations.
- 10.3 The Council is also required to consider whether it is of the view that the Accommodation BID proposals conflict with a policy formally adopted by the Council, and if so to notify the BID Proposer of this as soon as reasonably practicable after

receiving the Accommodation BID proposals, and this is provided for in the recommendations.

10.4 The BID Proposer is required to provide the Council with such information as it shall reasonably require to satisfy itself that the BID Proposer has sufficient funds to meet the costs of the BID ballot, should it be required to do so under Regulation 10 of the Regulations. It is understood that the BID Proposer has confirmed that it will cover the cost to the Council of the BID ballot whether or not the Accommodation BID proposals are approved at ballot.

10.5 As set out in the Report, in the event that the Accommodation BID proposals are approved at ballot the Regulations give the Council a power of veto in specified circumstances, should this be required and this is provided for in the recommendations.

10.6 As set out in the Report, in the event that the Accommodation BID proposals are approved at ballot, and subject to any veto, the recommendations also provide for the Council to enter into an Operating Agreement with the BID Proposer which will set out the arrangements for collection of the levy due on behalf of the BID.

Advice provided by Tamazin Wilson, Senior Solicitor, 14 June 2024.

11. **Other relevant comments**

11.1 Not applicable

12. **Crime and Disorder Implications (If Applicable)**

12.1 Not applicable

13. **Social value considerations (If Applicable)**

13.1 Not applicable

14. **Regard to the NHS Constitution (If Applicable)**

14.1 Not applicable

15. **Equality Impact Assessment (EIA)**

15.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because an EIA will be undertaken alongside the delegated decision proposed in this report.

16. **Data Protection Impact Assessment (DPIA)**

16.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because this will be assessed when the Accommodation BID proposal is received and considered.

17. Carbon Impact Assessment (CIA)

17.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because this will be assessed when the Accommodation BID proposal is received and considered.

18. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

18.1 None

19. Published documents referred to in this report

19.1 The Business Improvement Districts (England) Regulations 2004.

Councillor Ethan Radford

Portfolio Holder for Skills, Growth and Economic Development

City Council – 8 July 2024

Report of the Executive Member for Communities, Waste and Equalities

Corporate Director/ Director:

Corporate Director for Communities, Environment and Resident Services

Report Author and Contact Details:

Laura Patterson, Policy Officer

laura.patterson@nottinghamcity.gov.uk

Title: Nottingham Community Safety Partnership Strategy 2024 - 2027

Does the report form part of the Budget or Policy Framework?

Yes

Commissioner Consideration

Has this report been shared with the Commissioners' Office? Yes No

Any comments the Commissioners wish to provide are listed below.

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input checked="" type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input type="checkbox"/>

1. Summary

- 1.1 The Nottingham Community Safety Partnership (NCSP) Strategy 2024 to 2027, (see Appendix 1) sets out the Partnership's approach to reducing crime, substance use, re-offending and anti-social behaviour.
- 1.2 The 2024 - 2027 Strategy was approved by the NCSP Board on 22 March 2024. The Plan's content has been developed in line with the findings of the Strategic Assessment 2023 and the priorities and targets agreed by the NCSP Board at its meeting on 26 January 2024.
- 1.3 The NCSP Strategy 2024 to 2027 satisfies a statutory duty to co-operate in order to formulate and implement: a strategy for the reduction of crime and disorder in the area; a strategy for combatting the misuse of drugs, alcohol and other substances in the area; a strategy for the reduction of re-offending in the area; a strategy for

preventing people from becoming involved in serious violence in the area and for reducing instances of serious violence in the area.¹

- 1.4 There is a statutory requirement to revise the Partnership Strategy following the annual strategic assessment.²
- 1.5 The overall, statutory, aims of the Partnership are to:
 - Reduce Crime
 - Reduce Reoffending
 - Reduce Substance Use
 - Reduce Anti-Social Behaviour
- 1.6 In 2022 the Partnership decided to move to three-year priorities in order to allow sufficient time for activity to be implemented and take effect. Therefore, the priorities for 2024/25 are unchanged and remain as follows:
 - Slavery and Exploitation
 - Domestic and Sexual Violence and Abuse
 - Preventing Radicalisation and Violent Extremism
 - Serious Violence
 - Substance Use
 - Anti-Social Behaviour
- 1.7 Hate crime will remain an area of focus for the Partnership in the years to come. Over the next year the governance arrangements will be improved and the strategic partnership approach to managing hate crime will be reviewed and revised. The aims of this work will be to improve coordination between partners, deliver outreach and training programmes and make funding available to those areas and groups most in need.
- 1.8 Furthermore, a number of additional strategic drivers of risk have been identified over the past year. The aim is to identify cross-cutting issues, outside of the agreed priorities, which may require strategic direction and governance by the Partnership over the coming year. These include:
 - Community tensions, in particular those related to international conflicts
 - Vulnerable adults, especially those who do not meet the thresholds for criminal or statutory safeguarding interventions
 - Migration and the integration of individuals into the community
 - Housing and homelessness
- 1.9 The strategy sets out how partners will work together using an approach that delivers thematic activity and focuses on those people, places and premises that require multi-agency problem solving to resolve.

¹ s5 and s6 Crime and Disorder Act 1998

² The legislation places a duty on Community Safety Partnerships to undertake frequent strategic assessments of levels and patterns of crime and drug misuse in their area and to produce annual rolling three-year community safety plans (details of which are contained in Statutory Instrument 1830 [SI 2007/1830](#) and [SI 2007/1830 \(Explanatory Memorandum\)](#) which came into force on 1 August 2007.

2. Recommendations

- 2.1 To approve and adopt the Nottingham Community Safety Partnership Strategy 2024 to 2027, as set out at Appendix 1.

3. Reasons for recommendations

- 3.1 The NCSP Strategy 2024 to 2027 performs a statutory duty of the Partnership and gives strategic direction to the work that the Partnership will undertake over the three years of the strategy.
- 3.2 The new Partnership Strategy is based on robust evidence as set out in the 2023 Strategic Assessment.
- 3.3 The Constitution of Nottingham City Council requires Council to approve and adopt the NCSP Strategy.

4. Other options considered in making recommendations

- 4.1 To do nothing would leave the city without a Partnership Strategy for the reduction of crime, reoffending, anti-social behaviour and substance use, which would leave a statutory duty unfulfilled.
- 4.2 Producing a Partnership Strategy for only 12 months would have lacked the long-term strategic direction needed and would not have provided an adequate performance management framework.

5. Consideration of Risk

- 5.1 The Nottingham Community Safety Partnership is required to produce a Partnership Strategy to consider crime, anti-social behaviour, substance use and reoffending in the city. Not producing a strategy would mean that a statutory duty was not complied with.

6. Best Value Considerations

- 6.1 There are no financial implications to this decision. However, working in partnership to address the priorities set out in the strategy, helps to ensure the most effective use of resources of partner organisations.
- 6.2 The strategy is developed and delivered in partnership with a range of partners from across the public sector. This is the most effective and efficient method as responsibility and accountability for delivery are shared across the Partnership, with each agency covering those activities from the strategy that fall within their remit or specialism. Economy is demonstrated by the fact that the strategy is entirely delivered with existing resources. The process of development and delivery is a good example of DIWO (doing it with others).

7. Background (including outcomes of consultation)

7.1 The Nottingham Community Safety Partnership Strategy for 2024 to 2027 has been developed in line with the:

- Statutory duty of the Partnership to reduce crime, reoffending, substance misuse and anti-social behaviour;
- Findings of the Strategic Assessment 2023, which incorporated the findings of partner and practitioner consultation;
- Priorities and targets agreed by the Nottingham Community Safety Partnership Board at its meeting on 26 January 2024.

7.2 The Partnership Strategy has been developed with regard to the priorities of the Police and Crime Commissioner. As a result, the plan seeks to complement the work of the Commissioner and the Police and Crime Plan.

7.3 Partners will use an approach which delivers thematic activity and focuses on people, places and premises that require multi-agency problem solving to resolve.

7.4 The NCSP Strategy 2024 - 27 was approved by the NCSP Board on 22 March 2024. The Partnership Strategy is presented to Full Council for its approval and adoption in line with the Constitution of Nottingham City Council.

8. Commissioner comments

8.1 Commissioners support this Strategy.

9. Finance colleague comments (including implications and value for money)

9.1 As per the report author, this report seeks to approve and adopt the Nottingham Community Safety Partnership Strategy 2024 to 2027. The report has been reviewed by Finance and there are no direct financial implications as a result of this decision.

Ian McLellan, Interim Strategic Finance Business Partner, 10 June 2024.

10. Legal colleague comments

10.1 There are no significant legal implications associated to this decision. The Nottingham Community Safety Partnership is a statutory partnership established under the Crime and Disorder Act 1998. Nottingham City Council host the partnership. The partnership has a statutory duty to formulate and implement a strategy to (1) reduce crime and disorder in the area; (2) combat the misuse of drugs, alcohol and other substances; (3) reduce re-offending within the area; (4) prevent people from becoming involved in serious violence; and (5) reduce instances of serious violence. There is a statutory requirement to revise the Partnership Strategy annually. The Partnership Strategy sets out the 2024/27

strategy that is to be implemented. Legal advice will be available to assist with any implementation of the Plan, if required.

Anthony Heath, Head of Legal and Deputy Monitoring Officer (Interim), 3 June 2024.

11. Other relevant comments

11.1 None.

12. Crime and Disorder Implications

12.1 The Nottingham Community Safety Partnership is required to produce an annual Strategic Assessment and Partnership Strategy to consider crime, anti-social behaviour, substance misuse and reoffending in the city. The Partnership Strategy is presented to Council for its approval and adoption in line with the Constitution of Nottingham City Council. The implications for crime and disorder within the city are an explicit part of both documents and therefore the duties under Section 17 of the Crime and Disorder Act 1998 are considered to have been discharged.

13. Social value considerations (If Applicable)

13.1 Not applicable.

14. Regard to the NHS Constitution (If Applicable)

14.1 Not applicable.

15. Equality Impact Assessment (EIA)

15.1 Has the equality impact of the proposals in this report been assessed?

Yes



Attached as Appendix 2 and due regard will be given to any implications identified in it.

16. Data Protection Impact Assessment (DPIA)

16.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because no data processing is required as a result of the proposals in this report.

17. Carbon Impact Assessment (CIA)

17.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because all partnership organisations are responsible for their own environmental and climate policy.

18. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

18.1 None

19. Published documents referred to in this report

19.1 The Strategic Assessment 2023 is published on the Nottingham Insight website:
<https://www.nottinghaminsight.org.uk/themes/crime-and-community-safety/strategies-plans-and-surveys/>

19.2 The Crime and Disorder Act 1998.

Councillor Corall Jenkins

Executive Member for Communities, Waste and Equalities

Nottingham Community Safety Partnership

Working in partnership to build a safer and stronger city



Partnership Strategy 2024/27

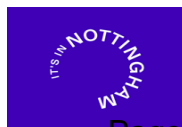


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Working in partnership to build a **safer**
and **stronger** city



FOREWORD

Lord Vernon Coaker, Chair of the Nottingham Community Safety Partnership

The past year has been extremely challenging for the city of Nottingham and its citizens. The tragic events of June 2023 saw an outpouring of grief but also a determination to pull together to support our citizens and communities. However, these events have also resulted in significant external scrutiny falling upon agencies in Nottingham and the commissioning of a number of reviews and other investigations.



From a community safety perspective, these events have had a significant effect over the past twelve months and there will be further impacts in the coming years as the various proceedings conclude. It is therefore essential that as a partnership we are able to respond to these changing circumstances and to adapt our ways of working as a result. Ultimately we must collectively learn from what has happened in order to make our city safer for all who live, work and visit.

The past year has also seen the financial position of a number of public bodies deteriorate further. Consequently a number of partners are facing challenges of such magnitude that significant service reductions are all but inevitable. This will no doubt have an impact on community safety and therefore the ability of agencies to address such issues in the city.

It is with this context in mind that I recommend to you our strategy for 2024/25. This plan and the priorities within reflect the core crime and community safety issues affecting the city, and the partnership remains committed to tackling them through dedicated multi-agency problem solving and collaboration. In 2023 we decided as a partnership to focus on the same priority areas for a three year period and thus these remain unchanged from the previous year. Nevertheless, the community safety agenda will undoubtedly be influenced by many and differing challenges in the years ahead and future versions of this plan will rightly be revised to incorporate these as circumstances dictate.

Whilst clear and obvious challenges remain across the city, it is my firm belief that real and



A strong partnership approach is key to achieving this and it is therefore imperative that we maintain our collective focus on the issues that matter to our citizens and communities. With this in mind, I am pleased to recommend this plan to you as our method for achieving our ambitions for Nottingham. Through working together with partners and communities, I am confident that our agencies, as a partnership, can continue to deliver sustainable change for our city.



INTRODUCTION

The Nottingham Community Safety Partnership (NCSP) is a statutory partnership under the Crime and Disorder Act 1998, with key agencies working together to deliver against key priorities of the reduction of crime, anti-social behavior (ASB), substance misuse and reoffending.

Nationally these partnerships are known as Community Safety Partnerships, and were established in recognition of the fact that the causes of crime are complex, and that no single agency holds the key to reducing crime and its impact on society. Therefore, the responsibility for crime reduction and prevention sits with all agencies collectively, and the key to achieving long term and sustainable reductions in offending is through multi agency working, addressing prevention as well as enforcement.



The NCSP is made up of a number of statutory and non-statutory agencies including Nottinghamshire Police, Nottingham City Council, Nottinghamshire Fire and Rescue Service, the Probation Service, Public Health, the Integrated Care Board, the Office of the Police and Crime Commissioner and It's In Nottingham.

In recent years the partnership has also taken on a number of additional duties and responsibilities in response to the changing national landscape around community safety. In 2021 the NCSP board took on the role of the statutory local partnership board for domestic abuse, as required by the Domestic Abuse Act 2021, and in 2022 the board assumed a similar role for substance use, as mandated by the *From Harm to Hope* national drug strategy. In 2023 the Serious Violence Duty was introduced and the NCSP has also taken on strategic governance and oversight of this for Nottingham, alongside the Strategic Violence Reduction Board.

This plan sets out our strategic vision for the future and outlines how we, as a collective group of partners, will continue to work together in order to achieve our objectives.

OUR RESPONSE: INNOVATION & ACHIEVEMENT IN 2023/24

Serious Violence

The Serious Violence Duty was introduced in January 2023 with the aim of reducing violent crime and tackling the root causes of offending. In Nottingham the Community Safety Partnership has overseen the implementation of the duty alongside the Violence Reduction Partnership. This has involved completing an assessment of need, developing a local plan for Nottingham and establishing strategic governance.

Slavery & Exploitation

The response to slavery & exploitation in Nottingham is sophisticated and was a national trailblazer. The work done locally has been highlighted by the Home Office as an example of best practice. It brings together partner agencies to share information, risk assess and manage potential victims in a multi-agency forum. During 2024 this successful model will be expanded and the service will begin operation in the Nottinghamshire area.

Consent Coalition

The Consent Coalition is made up of 20 Nottingham-based statutory and voluntary sector organisations who are specialists in the sexual violence field. They work together to raise awareness on the importance of consent, challenge myths about rape and sexual violence, and encourage victims to access support and report offences.



OUR RESPONSE: INNOVATION & ACHIEVEMENT IN 2023/24



Painting the town purple

Excellence in managing the evening & night-time economy

Purple Flag

Nottingham has been awarded the Purple Flag award on fourteen consecutive occasions for its evening and night-time economy. The city has been awarded the prestigious accreditation in recognition of its vibrant and diverse mix of dining, entertainment and culture whilst promoting the safety and wellbeing of visitors and local residents.

Substance Use

The *From Harm to Hope* national drug strategy has seen renewed investment in treatment services in Nottingham. This has allowed services to expand and specialist programmes to be introduced. During 2023 the local delivery plan was launched. This covers a range of activity, including harm reduction, treatment and the disruption of illegal drug supply.

Violence Against Women & Girls

In 2023 a Violence Against Women & Girls Strategy was launched, led by the OPCC and supported by all NCSP partners. The strategy commits partners to a wide range of activity designed to reduce the prevalence of violence against women and girls, bring more perpetrators to justice and increase support for all victims and survivors. This mission is upheld by five pillars, each informed by the views of survivors, Nottinghamshire front line service providers, and members of the general public

OUR RESPONSE: INNOVATION & ACHIEVEMENT IN 2023/24

Anti-Social Behaviour

In March 2023, the Home Office announced that Nottinghamshire had been chosen to pilot an anti-social behaviour Immediate Justice project. Under the pilot, Nottinghamshire will trial a new scheme, where those found committing anti-social behaviour will be made to undertake community improvement work with an ambition for them to start work as soon as 48 hours after their offence, so that victims know that anti-social behaviour is being treated seriously and with urgency



THE COMMISSIONER'S PLAN

The [Police & Crime Commissioner](#) for Nottinghamshire, Caroline Henry, was elected in May 2021, taking on responsibility for developing and implementing the Police & Crime Plan for Nottinghamshire. Commissioner Henry has subsequently published her 'Make Notts Safe' plan 2021-25, and our partnership strategy seeks to complement the work of the Commissioner in making Nottingham safer.

The [Make Notts Safe Plan](#) can be found on the Nottinghamshire Office of the Police & Crime Commissioner website.

There are several key themes that cut across both the Partnership Plan and the Make Notts Safe Plan, notably Domestic & Sexual Violence and Slavery & Exploitation, showing a clear focus of the Partnership to tackle issues around hidden harm and some of the most vulnerable in society.

The strong focus on prevention of and diversion away from criminality in the Make Notts Safe plan is complemented through the work of the Reducing Reoffending Board and Substance Use Strategic Partnership.

The next election for the office of Police & Crime Commissioner will take place on 2nd May 2024.



PARTNERSHIP STRUCTURE, GOVERNANCE & OPERATING MODEL

The partnership is organised to provide good governance and coordinated action:

- ▶ **Partnership Board** – Provides strategic governance of the partnership
- ▶ **Thematic Sub-Groups** – Oversight of delivery against the strategic priorities of the partnership. Forums for effective tactical problem solving, planning and challenge across a range of themes and community safety issues.
- ▶ **Neighbourhood Problem Solving** – Designed to deal with locally identified priorities. This approach seeks to reduce harm in communities and demand on agencies by addressing the causes and drivers of crime, anti-social behaviour, substance use and reoffending.



The Partnership Operating Model continues to support high quality service delivery through:

- Commissioning and grant funding high-quality specialist services, with particular focus on substance use and domestic & sexual violence & abuse.
- Supporting and facilitating data sharing.
- The coordination of initiatives in neighbourhoods that are disproportionately affected by crime.
- The delivery of Domestic Homicide Reviews as required.
- The investigation of drug related deaths alongside the Coroner.
- Supporting the continued development of the pathways to reducing reoffending.

The role of the Partnership Support Team will be to continue supporting the partnership with a clear remit to:

- Identify and implement best practice
- Develop and share expertise to support problem solving
- Contribute to the development of strategic and tactical plans
- Monitor performance, identify risks and provide insight behind the issues
- Provide a coordinating function between agencies and maintain links to neighbourhood and locality working
- Commission effective services to meet identified needs
- Provide advice and support in order to facilitate business and process improvements across the partnership

STRATEGIC ASSESSMENT 2023

Priority Areas

The Partnership conducts an annual assessment of crime, ASB, substance misuse and reoffending in Nottingham in order to ensure that we are tackling the community safety issues that have the greatest impact on the city and its residents. The assessment looks at levels and patterns of offending behaviour and substance misuse so that solutions and interventions can be developed on a robust evidential basis. The Partnership's 2023 assessment was published in February 2024 and is available on the Nottingham Insight website. In 2022 the partnership decided to move to three-year priorities in order to allow sufficient time for activity to be implemented and take effect. Therefore the priorities for 2024/25 are unchanged and remain as follows:

- Slavery & Exploitation
- Domestic & Sexual Violence & Abuse
- Preventing Radicalisation & Violent Extremism
- Serious Violence
- Substance Use
- Anti-Social Behaviour



Hate crime will remain an area of focus for the partnership in the years to come. Over the next year the governance arrangements will be improved and the strategic partnership approach to managing hate crime will be reviewed and revised. The aims of this work will be to improve coordination between partners, deliver outreach and training programmes and make funding available to those areas and groups most in need.

Drivers of Risk

Furthermore, a number of additional strategic drivers of risk have been identified over the past year. The aim is to identify cross-cutting issues, outside of the agreed priorities, which may require strategic direction and governance by the partnership over the coming year. These include:

- Community tensions, in particular those related to international conflicts
- Vulnerable adults, especially those who do not meet the thresholds for criminal or statutory safeguarding interventions
- Migration and the integration of individuals into the community
- Housing and homelessness

PARTNERSHIP APPROACH 2024-27

Overall Aims

The statutory aims of the Partnership are to:

- Reduce Crime
- Reduce Reoffending
- Reduce Substance Use
- Reduce Anti-Social Behaviour



Strategic Focus

As agreed in 2022, the strategic priorities and areas of focus for the period 2023 to 2026 are as follows. These were identified as part of the 2022 assessment and planning process. Progress against these priorities is reviewed annually in line with the requirements of the Crime & Disorder Act 1998. In addition, the NCSP Board have agreed an action plan for 2024/25 based on the recommendations from the 2023 assessment. This is also shown below and will be revised each year in line with the findings of the annual assessment.

Priority Area	Strategic Focus	Who
Slavery & Exploitation	<ul style="list-style-type: none"> > Improve partnership working across Nottingham & Nottinghamshire. > Expand the SERAC model into Nottinghamshire. 	Slavery & Exploitation Strategic Group
Domestic Abuse & Sexual Violence	<ul style="list-style-type: none"> >Ensure access to safer accommodation and support services. >Deliver a revised and improved MARAC model >Build on the success of the Consent Coalition. 	<ul style="list-style-type: none"> *DVSA Strategy Group *MARAC Steering Group *DVSA Strategy Group.
Preventing Radicalisation & Violent Extremism	<ul style="list-style-type: none"> >Develop and implement a more proactive approach to communications and engagement. >Ensure that all partners have a proportionate and monitored staff training programme for Prevent. >Develop and promote an improved approach to tackling 'Permissive Environments' 	Prevent Steering Group
Serious Violence	<ul style="list-style-type: none"> >Implement new governance arrangements for Nottingham >Begin delivery of the local response plan 	Serious Violence Strategic Group
Substance Use	<ul style="list-style-type: none"> >Break drug supply chains. >Deliver a world-class treatment and recovery system. >Achieve a generational shift in the demand for drugs. >Closer working with citizens and communities. 	Substance Use Strategic Partnership
Anti-Social Behaviour	<ul style="list-style-type: none"> >Improved strategic governance >Deliver Immediate Justice pilot >Revise neighbourhood problem solving structures 	ASB Strategic Group



2024/25 NCSP Board Action Plan

Theme	Recommendations	Agency
Acquisitive Crime	The partnership reviews its response to shoplifting and identifies improvements which can be made through the partnership.	Police
Anti-Social Behaviour	The partnership to assess the impact of Nottingham City Council service reductions against current working practices for anti-social behaviour.	Nottingham City Council
Criminal Justice	Partnership working and formal governance links between the Nottinghamshire Criminal Justice Partnership and the Community Safety Partnership to be strengthened.	Office of the Police & Crime Commissioner
Data Quality & Service Improvement	The partnership commits to engaging with work to improve data capture and subsequent analysis and improvement of service delivery in respect to disproportionality.	All partners
	The partnership continues to monitor violence against the person offences and is prepared for the impact of changes to the recording of these offences, in particular in relation to victims of stalking, harassment and coercive control.	Police
	The partnership undertakes a review of the prevalence and impact of mental health issues across each service area and evaluates relevant provision and service delivery.	All partners
Domestic & Sexual Violence & Abuse	The partnership, through the Domestic & Sexual Violence & Abuse Strategy Group, work to drive up the reporting of Sexual Violence.	DSVA Strategy Group
	A partnership wide analysis of sexual violence in Nottingham to be undertaken, with particular focus on the city centre and Night Time Economy.	DSVA Strategy Group
	The partnership to support the ongoing review of the criminal justice process for survivors of sexual violence & abuse.	DSVA Strategy Group
	The partnership strengthens oversight of criminal justice outcomes for domestic & sexual violence & abuse by monitoring data from the Police, Crown Prosecution Service and Courts Service.	DSVA Strategy Group
	The partnership, through the Domestic & Sexual Violence & Abuse Strategy Group, to investigate the patterns identified in survivor demographics from cases heard at MARAC.	DSVA Strategy Group
Hate Crime	The partnership to assess if strategic oversight and the current strategy for hate crime are fit for purpose.	Police & Nottingham City Council
Preventing Radicalisation & Violent Extremism	The partnership, through the Prevent Steering Group, to monitor available research, conduct field research and respond by tailoring service provision to include learning around the impact of neurodiversity.	Prevent Steering Group
	The partnership, through the Prevent Steering Group, assess readiness to meet duties specified through the relevant legislation and evaluate policy and practical efficiency in these areas.	Prevent Steering Group
Serious Violence	The partnership accept and incorporate the Violence Reduction Partnership framework for monitoring and evaluating progress in respect of serious violence once this is published.	Serious Violence Strategic Group
	The partnership, through the Serious Violence Strategic Group, identifies themes and incorporates actions from the various available analyses into the serious violence action plan.	Serious Violence Strategic Group

PERFORMANCE & OUTCOMES FRAMEWORK

Thematic Area	Measure	Source
Crime & Safety	Victim-Based Crime	Nottinghamshire Police
	Experience of Crime	Office of the PCC
	Feeling of Safety: City Centre	Nottingham City Council
	Feelings of Safety: Neighbourhood	Nottingham City Council
	Volume of Hate Crime	Nottinghamshire Police
	% of Hate Crime Victims that are Repeats	Nottinghamshire Police
Reoffending	Binary Offending Rate	Probation Service
	Frequency of Offending	Probation Service
	% of Offenders Housed 3 Months from Release from Prison	Probation Service
	% of Offenders in Employment 3 Months from Release from Prison	Probation Service
	% of Offenders Successfully Completing ATR or DRR	Probation Service
Slavery & Exploitation	Number of Referrals Received to SET	Nottingham City Council
	% cases resolved	Nottingham City Council
	Risk of Harm Reduction	Nottingham city Council
Domestic & Sexual Violence & Abuse	Number of Repeat Victims of Domestic Abuse	Nottinghamshire Police
	Volume of MARAC Referrals	Nottingham City Council
	Volume of Calls to DSVVA Helpline	Nottingham City Council
	% Accessing Safe Accommodation	Nottingham City Council
Preventing Radicalisation & Violent	Number of Channel Referrals	Nottingham City Council
	Number of Channel Cases	Nottingham City Council
	Proportion of Channel Cases Closed with a Positive Outcome	Nottingham City Council
Serious Violence	Hospital Admissions (sharp object violent injury)	Integrated Care Board
	Hospital Admissions (any violent injury)	Integrated Care Board
	Serious Violence	Nottinghamshire Police
	Knife Crime	Nottinghamshire Police
Substance Use	Numbers in Treatment (young people)	Public Health
	Numbers in Treatment (adult)	Public Health
	Substantial Progress on Recovery Outcomes (adults)	Public Health
Anti-Social Behaviour	Volume of ASB Reported to NCC	Nottingham City Council
	Volume of ASB Reported to Police	Nottinghamshire Police
	Experience of ASB	Office of the PCC
	Number of Repeat Victims of ASB	Nottinghamshire Police
	Satisfaction with Response to Reported ASB	Nottingham City Council
	Volume of Secondary Fires	Notts Fire & Rescue Service

Nottingham Community Safety Partnership

Working in partnership to build a safer and stronger city



Equality Impact Assessment (EIA) Tool

Document Control

Control Details:	
Title of EIA/ Decision (DDM):	The Nottingham Community Safety Partnership Strategy 2024-2027
Budget booklet code (if applicable):	
If this is a budget EIA please ensure the title and budget booklet code is the same as the title used within the budget booklet	
Name of author (Assigned to Pentana):	Laura Patterson
Department:	Communities, Environment and Residents Services
Director:	Colin Wilderspin
Division:	Nottingham Community Safety Partnership
Contact details:	laura.patterson@nottinghamcity.gov.uk
Strategic Budget EIA:	No
Exempt from publication:	No
Date decision due to be taken:	8 th July 2024

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Document Amendment Record

Version	Author	Date
1	Laura Patterson	31/05/2024
2	Laura Patterson	10/06/2024

Contributors/Reviewers (Anyone who has contributed to this document to be named)

Name	Title role	Date
Nasreen Miah	Equality & Employability Consultant	06/06/2024, 11/06/2024
Michael Swanwick	Intelligence and Insight Manager	07/06/2024
Philip Broxholme	Senior Community Safety Manager	10/06/2024

Glossary of Terms

Term	Description
NCSP	Nottingham Community Safety Partnership
JSNA	Joint Strategic Needs Assessment
DV	Domestic Violence
LGBT+	Lesbian, Gay, Bisexual, Transgender Plus
DLUHC	Department for Levelling Up, Housing and Communities
EIA	Equality Impact Assessment

Section 1 – Equality Impact (NCC staff/ Service users/ Citizen/ Community impact)

1. a. Brief description of proposal/ policy/ service to be assessed

The Nottingham Community Safety Partnership (NCSP) Strategy 2024-2027 sets out the Partnership’s approach to reducing crime, substance use, re-offending and anti-social behaviour.

The NCSP Strategy 2024-2027 satisfies a statutory duty to co-operate in order to formulate and implement a strategy for the reduction of crime and disorder in the area, a strategy for combatting the use of drugs, alcohol and other substances in the area and a strategy for the reduction of reoffending in the area.¹ There is a statutory requirement to revise the Partnership Strategy following the annual strategic assessment.²

The [2024-2027 Partnership Strategy](#) was approved by the Partnership Board on 22nd March 2024. Its content has been developed based on the findings of the Strategic Assessment 2023 and the priorities and targets agreed by the NCSP Board at their meeting on 26th January 2024.

¹ s5 and s6 Crime and Disorder Act 1998

² The legislation places a duty on Community Safety Partnerships to undertake frequent strategic assessments of levels and patterns of crime and drug misuse in their area and to produce annual rolling three year community safety plans (details of which are contained in Statutory Instrument 1830 [SI 2007/1830](#) and [SI 2007/1830 \(Explanatory Memorandum\)](#) which came into force on 1 August 2007.

1. b. Information used to analyse the equalities implications

The targets in the new 2024-2027 plan were set following the annual strategic assessment. [The Strategic Assessment 2023](#) assesses current, emerging and longstanding crime, anti-social behaviour, substance use and reoffending issues in Nottingham.

The statutory aims of the Partnership are to:

- Reduce Crime
- Reduce Reoffending
- Reduce Substance Misuse
- Reduce Anti-Social Behaviour

The Strategic Assessment is based on detailed analyses of a wide variety of data and information from partners across Nottingham city and gives a comprehensive overview. Where particular areas are identified as disproportionately affected by one crime type, further analysis at a local geographic level has been undertaken. Some analysis has also been undertaken for different crime types, where data was available by protected characteristics, such as for hate crime. Relevant intelligence from a variety of sources has also been included, along with practitioner perspective.

Recommendations from this assessment are set out in the strategy and have been accepted by the community safety partnership to be actioned through the relevant strategic group or partnership forum. Citizen consultation has not been carried out directly as part of the Strategic Assessment process, although citizen engagement through several work areas is considered through the strategic assessment process. Examples of this are citizen engagement through Neighbourhood Action Teams, Survivor Voice surveys, and citizen satisfaction surveys (currently run through the Office of the Police and Crime Commissioner following the cessation of the Place / Respect surveys). Mechanisms for direct citizen consultation, through the formation of focus groups or other traditional consultation mechanisms are prohibitive due to resource, and the avenues open for other partner agencies, such as Independent Advisory Groups, could not be practically delivered in the available timeframe.

Using the analysis and insight developed during the assessment period, a number of local priorities around crime and antisocial behaviour have been identified, based on an assessment of threat, risk, harm, volume and the current partnership response. The identified priorities form the basis of the 2024-27 Partnership Strategy.

In 2022 the partnership decided to move to three-year priorities in order to allow sufficient time for activity to be implemented and take effect. Therefore, the priorities for 2024/25 are unchanged and remain as follows:

- Slavery & Exploitation
- Domestic & Sexual Violence & Abuse
- Preventing Radicalisation & Violent Extremism
- Serious Violence
- Substance Use
- Anti-Social Behaviour

Partner Consultation: Partners were invited to contribute through all stages of the Strategic Assessment Process. All statutory Community Safety partners were consulted [Community Safety Partnerships - GOV.UK \(www.gov.uk\)](https://www.gov.uk) as well as a range of non-statutory partners and stakeholders from the private and voluntary sectors. Partners were invited through the Community Safety Board, sub groups and associated groups to be involved in the production of the assessment and consulted on the outcomes and recommendations. The proposed process was circulated to NCSP board members and all other relevant stakeholders in August 2023. The draft strategic assessment was then circulated in December 2023 before final consultation, amendment and sign off on 26th January 2024.

The Partnership Strategy has been developed subsequent to the approval of the Strategic Assessment and has adopted the following priorities, following the consultation detailed above:

- Slavery & Exploitation
- Domestic & Sexual Violence & Abuse
- Preventing Radicalisation & Violent Extremism
- Serious Violence
- Substance Use
- Anti-Social Behaviour

In 2022 the partnership decided to move to three-year priorities in order to allow sufficient time for activity to be implemented and take effect. Therefore, the priorities for 2024/25 are unchanged and remain as follows:

- Slavery & Exploitation
- Domestic & Sexual Violence & Abuse
- Preventing Radicalisation & Violent Extremism
- Serious Violence
- Substance Use
- Anti-Social Behaviour

Hate crime will remain an area of focus for the partnership in the years to come. Over the next year the governance arrangements will be improved and the strategic partnership approach to managing hate crime will be reviewed and revised. The aims of this work will be to improve coordination between partners, deliver outreach and training programmes and make funding available to those areas and groups most in need. An Equalities Impact Assessment will be completed for this work.

1. c. Who will be affected and how?

Impact type (NCC staff/ Service users/ Citizens/ Community)	Equality group/ individual	Positive	Negative	None	Reasons for your assessment (Including evidence)	Details of mitigation/ actions taken to advance equality	Details of any arrangements for future monitoring of equality impact (Including any action plans)
Citizens	People from different ethnic groups	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below

Citizens	Men	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Women	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Trans	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Disabled people/ carers	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Pregnancy and maternity	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Marriage/Civil Partnership	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	People of different faiths/ beliefs and those with none	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Lesbian/ Gay/ Bisexual people	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Older	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below

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Citizens	Younger	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Care Experience (Please refer to the guidance notes for further information)	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below
Citizens	Other (e.g. cohesion/ good relations, <u>vulnerable children/ adults</u>), socio-economic background. <i>Please underline the group(s) /issue more adversely affected or which benefits.</i>	X			See 1d(i) below	See 1d(i) below	See 1d(ii) below

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1. d. Summary of any other potential impact (including cumulative impact/ human rights implications):

(i) A key target in the Partnership Strategy is to **reduce the number of victims** of crime, which would therefore impact on the protected groups highlighted in the table above. It would also have a positive impact on the population as a whole.

A number of the crimes which are prioritised in the Partnership Strategy, disproportionately affect groups of citizens, both perpetrators and victims as detailed below. Some of these groups have protected characteristics and are also vulnerable groups, so prioritising these crimes, is therefore likely to have a positive impact on these groups:

- Domestic & Sexual Violence: gender (women)

- Vulnerability & Exploitation: gender, age, race, disability, care experience
- Substance Misuse – gender (Men)
- Preventing Radicalisation & Violent Extremism: Race, Religion/Faith
- Hate Crime: Disability, Race, Religion/Faith, Sexual Orientation, Transgender, Alternative Sub-Culture, Misogyny

This EIA focuses on the Partnership Plan as a whole, so does not go into level of detail you may expect at service level but commissioned services are required to ensure that equalities implications and possible barriers to access are taken into account in delivery and are required to report on this quarterly. EIAs will also be required when services are being commissioned.

There are open-access commissioned substance misuse treatment services. There is under-representation of access by people from ethnic backgrounds. Commissioned services are taking steps to rectify this by work. Further detail is included in the document [Substance Misuse \(illicit drugs and alcohol\) \(2022\) - Nottingham Insight](#)

Within commissioned domestic violence (DV) services, there is under-representation of people from ethnic backgrounds and LGBT+ communities. This is being addressed through the appointment of outreach workers from the DLUHC funding for the statutory duty on local authorities relating to the provision of support to victims of domestic abuse and their children residing within refuges and other safe accommodation. Men are also not accessing the DV services in the numbers which would be expected and this is also being addressed through additional outreach work.

The disaggregated data is analysed by the NCSP Performance and Intelligence team but the team is not involved with delivery at an operational level and therefore any specific disproportionalities or barriers which might affect perpetrators engagement are addressed at an operational level.

A full performance & outcomes framework is used to monitor performance on a regular basis, including detailed performance reports on progress against targets being provided quarterly to the NCSP Board.

Key performance indicators will be used to manage the city's performance in relation to specific categories of crime. Rates of offending for specific crime types will be monitored to help manage delivery strategies. This EIA will be updated if any changes occur and if any negative impact should arise, mitigations will be identified.

(ii) The NCSP will regularly collect and analyse equalities data collected by commissioned domestic and sexual violence and abuse services, as these are funded through the NCSP. Data is collected regularly on all of the partnership priorities (both Police data and data from commissioned services) and is analysed, then presented to the NCSP board five times a year for information and discussion. The data collection is also part of the Joint Strategic Needs Assessment (JSNA) cycle and the analysis will feed in to the next JSNA. This EIA will be updated to reflect any updates or changes.

Section 2 – Equality outcome


Please include summary of the actions identified to reduce disproportionate negative impact, advance equality of opportunity and foster good relations. Please pull out all of the mitigations you have identified and summarise them in this action plan

Equality Outcome	Adjustments to proposal and/or mitigating SMART actions	Lead Officer	Date for Review/ Completion	Update/ complete
Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010.	This strategy is aimed to benefit all protected groups.	Michael Swanwick/ Philip Broxholme	Review October 2024 as part of strategic assessment. Completion March 2025 when new strategy is signed off.	
Advance equality of opportunity between those who share a protected characteristic and those who don't	This strategy is aimed to benefit all protected groups.	Michael Swanwick/ Philip Broxholme	Review October 2024 as part of	

			strategic assessment. Completion March 2025 when new strategy is signed off.	
Foster good relations between those who share a protected characteristic and those who don't	This strategy is aimed to benefit all protected groups.	Michael Swanwick/ Philip Broxholme	Review October 2024 as part of strategic assessment. Completion March 2025 when new strategy is signed off.	
Please add other equality outcomes as required – e.g. mitigate adverse impact identified for people with a disability)				

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Section 3 – Approval and publishing

<p>The assessment must be approved by the manager responsible for the service /proposal. Approving Manager details (name, role, contact details): James Douglas, Head of Community Protection, james.douglas@nottinghamcity.gov.uk</p>	<p>Date sent for advice: 12/06/2024</p>
<p>Approving Manager Signature:</p>  <p>Page 69</p>	<p>Date of final approval: 12.06.24</p>

For further information and guidance, please visit the [Equality Impact Assessment Intranet Pages](#)
Alternatively, you can contact the Equality and Employability Team by telephone on 0115 876 2747

Send document or link for advice and/ or publishing to: edi@nottinghamcity.gov.uk

Final version sent to Equalities 13/06/2024.

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City Council – 8 July 2024

Report of the Chair of Licensing Committee

Corporate Director/ Director:

Corporate Director for Communities, Environment and Resident Services

Report Author and Contact Details:

Nick Burns, Licensing and Policy Manager

nick.burns@nottinghamcity.gov.uk

Title: Review of Statement of Gambling Policy

Does the report form part of the Budget or Policy Framework?

Yes No

Commissioner Consideration

Has this report been shared with the Commissioners' Office? Yes No

Any comments the Commissioners wish to provide are listed below.

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Working	<input checked="" type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input checked="" type="checkbox"/>
Child-Friendly Nottingham	<input checked="" type="checkbox"/>
Living Well in our Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input checked="" type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 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 policy is required to come into force for the three year period commencing 31 January 2025 and is required to go through a consultation process prior to its adoption. The proposed draft Statement is attached to this report for approval prior to its release for public consultation. Details of the method of consultation are set out in the report.
- 1.2 The purpose of the Statement is to inform individuals making an application for a 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. Recommendations

- 2.1 Approve the attached Draft Statement of Gambling Policy 2025 - 2028 for release for consultation purposes.
- 2.2 Include the retention of the 'no casino' resolution as part of the public consultation. Licensing Committee is supportive of the renewal of the 'no casino' resolution.
- 2.3 In the event that Council no longer wishes to retain the 'no casino' resolution that the Licensing and Policy Manager be authorised to amend the draft Policy accordingly before it is released for consultation.

3. Reasons for recommendations

- 3.1 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 2025.
- 3.2 It is proposed that the outcome of the consultation process and any amendments made to the Policy as a result are reported to Council at its meeting in November 2024.

4. Other options considered in making recommendations

- 4.1 None this is a statutory requirement.

5. Consideration of Risk

- 5.1 It is a statutory requirement of the Authority to publish a Statement of Gambling Policy.

6. Best Value Considerations

- 6.1 None, as it is a statutory requirement to produce a Statement of Licensing Policy, however the policy sets out clear expectations to lead to a more effective and efficient licensing process.

7. Background (including outcomes of consultation)

- 7.1 The Council is a 'Licensing Authority' for the purpose of the Act.
- 7.2 Section 349 of the Act requires an Authority to prepare, consult widely upon and publish a Statement of its Gambling Policy every three years. Such a statement must be published before the Authority carries out any function in respect of individual applications made under the terms of the Act. During the three-year period, the statement must be kept under review and the Authority may make such revisions to it as it considers appropriate. The Statement is a matter which is not the sole responsibility of the Executive and only the Licensing Authority (Full Council) can adopt, review, and revise it.
- 7.3 Before determining or altering its policy the Authority must consult at least the persons listed in the Act which are:
 - 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.

It is proposed that consultation should last for 8 weeks and take place in accordance with the guidance produced by the Cabinet Office, commencing on Friday 12 July and concluding at midnight on Friday 6 September.

- 7.4 Councillors are asked to consider whether they feel it appropriate to consult on the retention of the "No Casino" resolution passed by Council in December 2006. This resolution came into effect when Part 8 of the Gambling Act came into force in May 2007, was reviewed and retained in 2010, 2013, 2016 and 2022 but due to section 166 of the Act this resolution will lapse in January 2025.
- 7.5 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 licences being made to other Authorities. As this Authority did not bid for one of the new licences applicants are therefore prohibited from applying for a new casino licence to this authority 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.
- 7.6 Council is asked to indicate whether at this stage it feels that it is necessary and appropriate to "renew" the previous resolution in due course and include reference to the resolution in the consultation. Some possible matters and principles to which members could have regard in considering such a resolution are outlined in Appendix 2 of the draft Statement of Policy.
- 7.7 The proposals for this consultation were noted by the Licensing Committee on 4 June 2024 as the said Committee is the main user of the proposed document. Licensing Committee was supportive of the renewal of the 'no casino' resolution.

8. **Commissioner comments**

- 8.1 Commissioners agree with the recommendations.

9. **Finance colleague comments (including implications and value for money)**

- 9.1 The fees levied for the regime are intended to include the cost of the review of the Statement of Gambling Policy. The cost of delivering the gambling regime itself is also recovered from the application fees that have been set within the statutory fee limits. Any additional costs that may need to be recognised as a part of this policy update will be met within the existing fee structure. A reserve for all premises licenses is maintained to retain over recovery of costs through fee income or to balance under recovery of costs.

Susan Turner - Senior Commercial Business Partner and Ian McLellan – Interim Strategic Finance Business Partner – 13/06/2024

10. **Legal colleague comments**

10.1 The draft Statement of Gambling Policy 2025-2028 has been the subject of legal advice as to conformity with the relevant legislation and guidance. Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 the production of this policy is not the sole function of the Executive. The final Policy can only be approved by full Council and will need to be approved at its November meeting at the latest in order to comply with statutory timescales. Council is entitled to consider whether to pass a further “no Casinos” resolution but the resolution and matters to which the Council had regard in passing the resolution must form part of the policy.

Sarah Mills, Senior Solicitor, Legal Service - 7.6.24

11. Equality Impact Assessment (EIA)

11.1 Has the equality impact of the proposals in this report been assessed?

Consideration of equality impacts is underway and an EIA will be included in the report to Council in November seeking approval of the Statement of Gambling Policy.

12. Data Protection Impact Assessment (DPIA)

12.1 Has the data protection impact of the proposals in this report been assessed?

A DPIA is not required because the policy does not contain sensitive information within the policy.

13. Carbon Impact Assessment (CIA)

13.1 Has the carbon impact of the proposals in this report been assessed?

A CIA is not required because the policy does not have a carbon impact.

14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

14.1 None

15. Published documents referred to in this report

15.1 Gambling Act 2005

15.2 Guidance to Licensing Authorities April 2021 last updated April 2023

Councillor Audrey Dinnall
Chair of Licensing Committee

Nottingham City Council

Statement of Gambling Policy

2025-2028



January 2028

STATEMENT OF GAMBLING POLICY

Gambling Act 2005

(Published –8 July 2024)

Preface

Nottingham City Council ('the Council') is the Licensing Authority under The Gambling Act 2005, (the Act), responsible for regulating gambling and betting premises within the City of Nottingham.

Apart from the National Lottery and spread betting, gambling and betting are regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.

The Council, along with other local licensing authorities, has a duty under the Act to license premises where gambling is take place, and has the power to authorise, permit or register certain other activities (such as small society lotteries, gaming machines etc).

This document sets out how we intend to approach this task.

Our Vision

Nottingham will be a place where responsible operators provide lawful and responsible gambling facilities for the enjoyment of the City's residents and visitors.

This Statement of Gambling Policy will promote the three licensing objectives:

- prevention of gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable persons from being harmed or exploited by gambling

Nottingham City Council Statement of Gambling Policy

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Introduction

Nottingham City Council (is a Licensing Authority for the purpose of the Gambling Act 2005. Section 349 of the Act requires all licensing authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during the three year period to which the policy applies. The licensing policy statement will last for a maximum of three years, but can be reviewed and revised by the authority at any time.

The Council recognises and values the contribution of the licensed leisure and entertainment industry to our communities and to the City of Nottingham, and our duty under the Gambling Act 2005 to aim to permit gambling subject to reasonable consistency with the licensing objectives.

The Council is situated in the County of Nottinghamshire, which contains 8 District Councils in total and administers an area of 7465 hectares and had a population in 2021 of 323,700 (Census, 2021) of 332,900 with a median age of 31 years, one of the lowest of all local authority areas¹. In terms of area it is the one of the smallest Councils in the County, but by far the most populous.

Nottingham is at the centre of the Greater Nottingham area which comprises the City of Nottingham and the immediate surrounding districts of Broxtowe, Gedling, Rushcliffe and the Hucknall area of the district of Ashfield. It is the regional centre for culture and leisure in the East Midlands and has a vibrant city centre, a flourishing multi-cultural artistic scene, major sporting and entertainment venues, theatres, cinemas and a range of local community facilities and events.

As a major provider itself, the Council welcomes the diversity of leisure and entertainment opportunities available in Nottingham and recognises that the licensed leisure and entertainment industry has a major role to play in helping to keep Nottingham the success that it is. Businesses licensed by the Authority provide social and community spaces, facilities for residents and corporate groups and is a vital support infrastructure for related sectors such as retail and tourism. However, the Council also recognises the problems that can be caused if licensed activities are not properly managed and premises well run. The strategic aim in the Nottingham Gambling Related Harm Strategy 2023-2028 is to prevent and reduce gambling related harm in Nottingham and the Council is committed to working with a range of partners to prevent and reduce gambling related harm and to enacting our duty under the Health and Social Care Act 2012 to improve the health of the people who live in Nottingham.

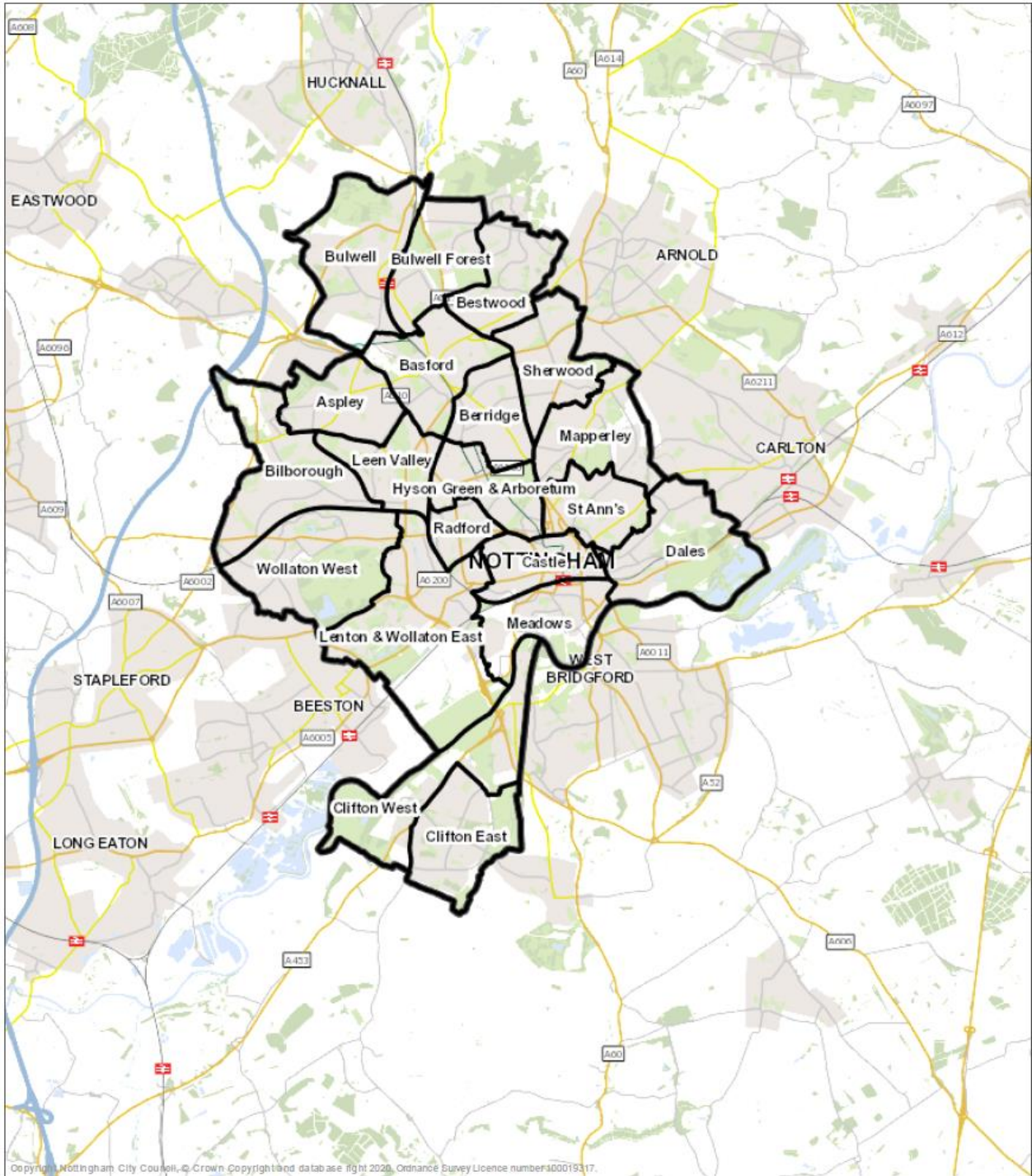
TheDeveloping-a-City-Centre-Strategy-for-Nottingham.pdf (mynottinghamnews.co.uk) references leisure as a key contributor to the city Centre economy offering customers a varied choice of activities and services and provides insight into city development prospects.

The map on page 3 identifies the City boundaries and the Ward Boundaries within. The City has no Wards that are wholly or mainly industrial; the following areas are noted as being primarily residential areas: Aspley, Clifton East, St

Ann's, Mapperley, Sherwood, Leen Valley, Basford, Meadows, Wollaton West and Radford.

The Council recognises the impact that unregulated gambling may have on its community and sustainability as a viable local economy and in delivering the gambling regime will, with regard to the principles set out in this Policy, seek to support its local economy and protect the health and wellbeing of children and vulnerable people and in doing so will consider each application on its own merits within the context of this Statement, the legislation and guidance and codes of practice issued by the Gambling Commission.

Ward Boundaries



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- Key
-  Wards
 -  Ward Labels
 -  City Boundary

Description
Ward Boundaries Nottingham City Council



2 The Licensing Objectives

- 2.1 In exercising certain functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used
 - to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 2.2 In the case of premises licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Guidance on the Licensing Objectives is available on the Gambling Commission's website at: www.gamblingcommission.gov.uk.

3 Consultation on the Policy

- 3.1 The City Council has consulted widely over this Statement of Gambling Policy which sets out the Principles to which the Authority will have regard when undertaking its duties under the Gambling Act 2005. The Gambling Act requires that the following parties are consulted by Licensing Authorities:
- The Chief Officer of Police
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
 - 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 Gambling Act 2005
- 3.2 The Authority consulted the persons/organisations listed in appendix 1. Our consultation took place between inclusive. A full list of responses is available via the Authority's website at www.nottinghamcity.gov.uk
- 3.3 This Statement of Policy was approved at a meeting of the Full Council on. Copies were also placed in the public libraries of the area as well as being available at the offices of the Licensing Service, Humber Building, Eastcroft Depot, London Road, Nottingham, NG2 3AH and Loxley House reception, Station Street, Nottingham, NG2 3NG

Should you have any comments as regards this policy statement please send them via e-mail or letter to the following contact:

The Licensing Officer, Licensing, Humber Building, Eastcroft Depot, London Road, Nottingham NG2 3AH e-mail: general.licensing@nottinghamcity.gov.uk

- 3.4 This Statement complies with the requirements of Part 6 of the Gambling Commissions “Guidance to Licensing Authorities April 2023 (updated in part May 2021). Applicants for licence and other permissions, Interested Parties and Responsible Authorities are encouraged to read the Statement and have regard to the principles the City Council will apply in its role as Licensing Authority under the Gambling Act 2005.

4 The Functions of the Licensing Authority

- 4.1 The Act gives licensing authorities a number of important regulatory functions in relation to gambling. Their main functions are to:
- license premises for gambling activities;
 - consider notices given for the temporary use of premises for gambling;
 - grant permits for gaming and gaming machines in clubs and miners’ welfare institutes;
 - regulate gaming and gaming machines in alcohol licensed premises;
 - grant permits to family entertainment centres for the use of certain lower stake gaming machines; grant permits for prize gaming;
 - consider occasional use notices for betting at tracks; and
 - register small societies’ lotteries.

Spread betting is regulated by The Financial Services Authority.

The National Lottery, Remote Gambling, Operator Licences and Personal Licences are dealt with by the Gambling Commission.

When considering applications for premises licences the Licensing Authority will aim to permit the use of premises for gambling as set out in section 153 of the Act, which provides that, in exercising its functions under Part 8 of the Act, a licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it is:

- a. in accordance with any relevant code of practice under s.24
- b. in accordance with any relevant guidance issued by the Commission under s.25 (this guidance)
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority’s statement of licensing policy (policy statement) (subject to a to c above).

Nothing in this Statement should be regarded or interpreted as any indication that any statutory requirement of gambling or other law is to be overridden.

5 Statement of Principles

- 5.1 The Authority recognises the wide variety of premises which will require a licence or a permit. In carrying out its licensing functions under the Act the

Authority will have regard to the guidance and codes of practice issued by the Gambling Commission and to the Statement of Gambling Principles set out below.

- 5.2 The Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation and will seek to avoid the duplication of other legislation.
- 5.3 The guidance issued to licensing authorities is not intended to replace the judgment of a licensing authority in an individual case. Moreover, this guidance cannot anticipate every set of circumstances that may arise and, except in relation to Part 8 of the Act (premises licences), as long as it has been understood and taken into account, licensing authorities may depart from it where they consider it would be right to do so. However, where the Authority chooses to depart from the guidance it will give its reasons for doing so.
- 5.4 To ensure the licensing objectives are met the Authority will establish a close working relationship with relevant enforcement agencies, the Gambling Commission and, where appropriate, other responsible authorities.
- 5.5 Applicants and Licensees are required by the Gambling Commission's Licence Conditions and Codes of Practice to consider local risks and formulate risk assessments which should be shared with the Authority and where appropriate, translated into conditions and controls.
- 5.6 When children and other vulnerable people are allowed access to premises where gambling takes place, the Authority will take whatever steps it considers necessary to either limit access or introduce measures to prevent under age gambling. Weight will be given to valid representations to that effect.
- 5.7 Applicants seeking premises licences are encouraged to put forward appropriate, realistic and achievable prohibitions, restrictions or conditions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate having regard to the type, nature and operational proposals of the licensable activity.
- 5.8 However, the overriding principle is that all applications and the circumstances prevailing at each premises will be considered on their own individual merits.
- 5.9 The Authority may in future develop and publish a Local Area Profile, separate to the Gambling Licencing Policy. A Local Area Profile would identify different parts of the City where there are greater or specific risks of gambling related harm. This may be because of the people likely to be in that area, the other types of business in that area, or because of the characteristics of an area. While the Authority will determine each application for a gambling premises on its own merits, gambling operators would be required to address, for an existing or potential premises, the greater and specific increased risks of harm identified in the Local Area Profile.

Local Risk Assessments

- 5.10 The Gambling Commission's Licence Conditions and Codes of Practice (LCCP), formalise the need for operators to consider local risks. Local risk assessments apply to all non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. This provision has been in force since 6 April 2016
- 5.11 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.
- 5.12 Licensees must undertake a local risk assessment when applying for a new premises licence and then review (and update as necessary) their local risk assessments:
- to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
 - when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - when applying for a variation of a premises licence;
- 5.13 The social responsibility provision is supplemented by an ordinary code provision that requires licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority.
- 5.13 The Licensing Authority asks licensees to share a copy of their local risk assessment with the Licensing Authority and retain a copy on site for use if and when inspections are carried out by the Licensing Authority and/or any other responsible authority, in line with Gambling Commission best practice².
- 5.14 Where concerns do exist, perhaps prompted by new or existing risks, a licensing authority may request that the licensee share a copy of its risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of license conditions is required.
- 5.15 The licensing authority have an expectation that all local risk assessments will take into account
- the local demographic profile of the area, and factors and risks identified in the Nottingham Gambling Related Harm Health Needs

²[Local area risk assessments \(gamblingcommission.gov.uk\)](http://gamblingcommission.gov.uk)

Assessment 2023, and any subsequent health needs assessment published by the Licensing Authority in order to protect children and other vulnerable persons from being harmed or exploited by gambling.

- A Local Area Profile, if developed and published separately to this Gambling Licencing Policy (see section 5.9)

Preventing Gambling from Being a Source of Crime and Disorder, being associated with crime and disorder or being used to support crime

- 5.16 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent inappropriate people from providing facilities for gambling.
- 5.17 The Authority will not generally be concerned with the suitability of an applicant and where concerns about a person's suitability arise the Authority will bring those concerns to the attention of the Commission.
- 5.18 Disorder in the context of the gambling regime is intended to mean activity that is more serious and disruptive than mere nuisance. Factors that will be considered by the Authority in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it. There are already powers in other legislation designed to prevent or minimise nuisance, whether it arises as a result of noise from premises or from general disturbance in the area of licensed premises as people arrive or leave the premises. The Authority does not intend to use the gambling regime to deal with general nuisance issues such as parking problems, noise in the street or noise breakout from premises which can be dealt with using alternative powers.

5.19 Policy One

The Authority will have particular regard to the likely impact of licensing on related crime and disorder in the district particularly when considering the location, impact, operation and management of all proposed licence applications.

REASON: Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent, crime and disorder in their area.

Ensuring Gambling is Conducted in a Fair and Open Way

- 5.20 The Gambling Commission does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business or will relate to the suitability and actions of an individual. Both issues will be addressed by the Commission through the operating and personal licensing regime. However where the Authority becomes aware of matters that lead it to

believe that this Objective is not being promoted in accordance with the aims of the regime it will notify the Commission.

- 5.21 Because track operators may not require an operating licence from the Commission the Authority may attach conditions to the Premises Licence in appropriate cases which ensure that the environment in which betting takes place is suitable. The Authority may in these circumstances also consider the suitability of the applicant to hold a track premises licence.

Protecting Children and other vulnerable persons from being harmed or exploited by Gambling

In Nottingham, we consider the following people to be vulnerable to gambling related harm

- children, young people and young adults up to the age of 25 years
- people who gamble more than they want to
- people who gamble beyond their means
- people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs
- people seeking or accessing gambling treatment or support
- people living in areas of higher deprivation
- people employed by gambling operators and who have regular contact with gambling activities

In seeking to protect vulnerable people the Authority will apply its consideration of the application to people in these groups.

- 5.22 The Authority will expect applicants to show that there are policies and procedures in place to protect children and vulnerable people from harm. Harm in this context is not limited to gambling related harm but includes wider child and adult safeguarding considerations. Such policies and procedures will each be considered on their merits, however, they may include:-

- staff training on impacts of and vulnerability to gambling related harm and early detection of individuals at risk
- supervision of entrances and / or specific areas of the premises
- intervention and escalation with vulnerable people where necessary
- self-exclusion schemes
- refusal of entry to people who show signs of inebriation or use of drugs
- controls to prevent access to alcohol and to gambling by individuals who show signs of inebriation or use of drugs
- avoidance of inducements to gamble, including free or discounted alcoholic drinks to people or free bets and bonuses
- availability of signposting information to gambling helplines and to a range of local and national gambling treatment and support services in

both prominent and discreet locations, and including signposting for people affected by another person's gambling

- availability of signposting information to mental health advice and support, drug and alcohol support, and financial and debt advice and support services
- staff to customer ratios
- consideration of opening times to mitigate risks to vulnerable people
- safe cash handling and payment of winnings
- appropriate measures / training for staff as regards suspected truant school children on the premises,
- appropriate measures / training covering how staff would deal with unsupervised children being on the premises, or children causing perceived problems on / around the premises
- the use of proof of age schemes
- visual oversight by staff of areas to which children are not permitted access
- the restricting and preventing visibility of gambling from areas frequented by children
- the segregation of gambling from areas frequented by children
- ensuring entrances and external windows are not enticing to children or vulnerable adults
- the supervision of gaming machines in non-adult gambling specific premises such as pubs, clubs and betting tracks.

5.23 With limited exceptions the intention of the Act is that children and young persons should not be allowed to gamble and should therefore be prevented from entering gambling premises which are 'adult-only' environments in order to protect them from being 'harmed' or exploited by gambling.

5.25 The Authority expects to see the effective management and supervision of gaming machines in licensed family entertainment centres. The same consideration applies to tracks where children will be permitted in the betting areas on race-days.

5.26 In appropriate cases the Authority will take steps to prevent children from taking part in, or being in close proximity to, gambling especially with regard to premises situated in areas where there may be a high rate of reported truancy, in premises likely to be attractive to children and young people and near to schools, colleges and facilities and activities provided for, or aimed at, children and young people.

5.27 The Authority may impose restrictions on advertising so that gambling products advertised on licensed premises are not aimed at children or advertised in such a way that makes them particularly attractive to children and young people.

5.28 A gaming machine in licensed premises which is of a category that children are not permitted to play on must be clearly labelled as such and the machine adequately supervised at all times the premises are open to the public. Areas

to which access is limited by age must be clearly demarcated and effectively supervised to ensure underage persons do not enter.

5.29 The Authority will always treat each case on its individual merits. When considering whether specific measures are required to protect children and other vulnerable people and will balance these considerations against the overall principle of aiming to permit the use of premises for gambling, where that principle applies.

5.30 The Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). In particular the Authority will consider whether children can gain access; the compatibility of the two establishments; and the ability to comply with the requirements of the Act. In addition an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

5.31 Where the legislation allows the Authority will look particularly closely at applications that are made for premises:

- in areas with high levels of deprivation
- close to sensitive areas or developments
- in residential areas
- close to locations used to deliver mental health services, drug and alcohol support or recovery services, smoking cessation services, wellbeing support services, homelessness services, financial and debt advice and support services, and / or gambling treatment, support or recovery services
- close to schools and other educational establishments
- close to any setting or location frequently used by children and young people up to the age of 25
- close to residential hostels for vulnerable adults
- close to premises licensed for alcohol or gambling
- in areas with higher density of existing gambling premises

6 Competent Authority for the protection of children from harm and Responsible Authorities

6.1 In accordance with the Gambling Commission's Guidance for Local Authorities (the "Guidance") this Authority has designated the Local Safeguarding Children Partnership for Nottingham City Council as the responsible authority to advise on child protection issues because of its status in law to take action in respect of the protection of children from harm.

6.2 Responsible Authorities have a role to play in both authorising and regulating the various forms of gambling activity permitted by the Act. The names and contact details of the Responsible Authorities recognised by the Authority for

the purpose of the Gambling Act 2005 are available on the website www.nottinghamcity.gov.uk

- 6.3 Through the inclusion of a wide range of responsible authorities the Act aims to achieve a regime where all relevant regulatory bodies and organisations are made aware of the applications for gambling premises licences or other permissions. The Guidance recognises that in many instances comments that responsible authorities make will be relevant to the licensing authority's determination. Equally, in some cases, representations may not relate to matters that lead to the licensing authority refusing a premises licence. However, the wide dissemination of applications allows responsible authorities to take action under their own legislation and enforcement powers, even if there is no direct role for them in the gambling licence process. The Gambling Act contains no obligation on responsible authorities to respond to applications for premises licences if they do not wish to do so. The Authority therefore encourages Responsible Authorities to make representation on applications where they consider it necessary but to work within the spirit of the Act and to agree reasonable, achievable and proportionate conditions in appropriate cases.
- 6.4 The Licensing Authority will seek to avoid duplication of other powers when inspecting or enforcing under the Gambling regime and encourages the Responsible Authorities to do likewise.

7 Interested parties

- 7.1 Interested parties have limited rights to make representations in relation to gambling activities. They may only make representations in relation to applications for premises licences and provisional statements, and may apply for a review of an existing licence. Section 158 of the Act defines Interested parties as persons who **in the Licensing Authority's opinion:**
- a) live sufficiently close to the premises to be likely to be affected by the authorised activities
 - b) have business interests that might be affected by the authorised activities
 - c) represent persons who satisfy paragraph a) or b).
- 7.2 A wide interpretation will be given to those categories of persons and organisations that represent residents and businesses. These may include residents and tenants associations, trade unions and other associations, as well as individuals whose role is to represent the interests of one or more residents or businesses such as a councillor, MP or legal representative.
- 7.3 This Authority will require the person/body representing an interested party to show that they have been approached to do so by an individual who can be

classed as an Interested Party in their own right, for example one who lives sufficiently close to the premises to be likely to be affected by the activities being applied for. A letter accompanying the representation from the individual to the nominated representative requesting that the representation be made on their behalf, will normally be sufficient.

7.4 Similarly the Authority will interpret the phrase “business interest” widely and not merely confine the phrase to meaning those engaged in trade and commerce. It may therefore include charities, churches, medical practices, schools and other establishments and institutions.

7.5 In determining what ‘sufficiently close’ means the Authority may take any or all of the matters below into account as appear relevant to it to ensure that those who are likely to be directly affected by the proposed activities can exercise their right to be heard:

- the size and capacity of the application premises
- the proximity to the application premises
- the nature of the complainant
- the nature of their residency (e.g. private resident, resident in home for the vulnerable etc)
- the potential impact of the premises
- the likely catchment area of the premises
- whether the person making the representation has business interests in the catchment area that might be affected
- the nature of the authorised activities to be conducted on the application premises
- the routes likely to be taken to and from the application premises
- the character of the area
- the density of the built up area
- the topography of the area

7.6 If an existing gambling business makes a representation purely on the basis that it is going to be affected by another gambling business starting up in the area, the Council would not consider this to be a relevant on the basis that it relates to ‘demand’ or competition. Policy 2 below gives further advice about the matters that representations should address,

8 Local Standards Relevant to Specific Types of Gambling

8.1 Gambling may be authorised in various ways dependant on the nature of the gambling activity involved. In general either a premises licence or permit will be needed though certain activities may be authorised by way of mere notification. The involvement of responsible authorities, interested parties and the degree of control and discretion available to the Licensing Authority varies dependant upon the type of authorisation necessary. This section addresses the local standards applicable to the various types of authorisation.

Premises Licences and Provisional Statements

- 8.2 Premises licences are only necessary for the following types of gambling:
- Betting premises (including tracks)
 - Casino premises
 - Bingo premises
 - Adult gaming centres
 - Licensed family entertainment centres (i.e. one which operates machines with a £100 maximum prize)
- 8.3 The Gambling Act allows “responsible authorities” (identified in section 157 of the Act) and “interested parties” to make representations to applications relating to premises licences and provisional statements. In the case of reviews that right is also given to the licensee. With regard to other forms of notification and permit, the right to object is restricted to specified bodies.
- 8.4 A person may make an application for a provisional statement in respect of premises which he expects to be altered or constructed or which he expects to acquire the right to occupy. The provisions set out below apply to provisional statements as they apply in relation to premises licences especially as the Licensing Authority is under a duty to disregard any representations that could have been made in relation to the provisional statement when considering the subsequent premises licence application.

Applications

- 8.5 The Act places a duty on the Authority to aim to permit the use of premises for gambling in so far as the Authority thinks the application is in accordance with:
- the Codes of Practice,
 - the Commission’s Guidance,
 - this Policy Statement, and;
 - where the application is reasonably in accordance with the licensing objectives.

As these are the criteria against which an application is to be assessed representations which address these issues are more likely to be accepted and given weight.

- 8.6 This policy statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 8.7 Forms and notices relevant to activities within the Authority’s remit are available from the Licensing Service at www.nottinghamcity.gov.uk

- 8.8 Licences will only be issued in accordance with the Act. Premises licences are transferable to someone else holding a valid Operating Licence. The Act provides that licensing authorities may attach conditions to Premises Licences. Guidance has been issued by the Commission that suggests what conditions might be considered in relation to each type of Licence.
- 8.9 When considering applications for premises licences the Authority will not take into consideration either the expected 'demand' for facilities or the likelihood of planning permission or building regulations approval being granted. Except in the case of a Provisional Statement or an application to allow a track to be used for betting where other persons will provide the betting facilities, applicants for a premises licence will need to show to the satisfaction of the Authority that they have a right to occupy the premises concerned; hold a valid Operating Licence from the Commission or have applied for an Operating Licence and meet such other criteria set out in law. The Premises Licence can be only issued once the Operating Licence is issued. In the case of a Provisional Statement where the applicant does not currently have a right to occupy the application premises, the Authority will require written confirmation that the applicant may reasonably expect to acquire that right within a reasonable time.
- 8.10 In relation to an application to split existing licensed premises thereby creating multiple sites, the Licensing Authority will expect the primary use of each area to be the main business in accordance with the type of licence held. Any activities other than the primary use will be considered ancillary to the main business.
- 8.11 The Commission's Licence Conditions and Codes of Practice formalise the need for operators to consider local risks. The Social responsibility Code also requires licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises and have policies, procedures and control measures to mitigate those risks. Such risk assessments must be reviewed and updated on a regular basis. Licensees must also share their risk assessments with the Licensing Authority when applying for a new premises licence or variation of their existing licence, or upon request.. In undertaking these risk assessments operators should have regard to relevant matters identified in this Statement of Policy (eg those at paragraph 5.25 and section 9) and also at any Local Area Profiles which the Authority may compile and publish on its website.

Representations

- 8.12 Representations (objections) to applications or requests for a review should be based on the licensing objectives of the Gambling Act which are set out at the start of the Statement.
- 8.13 Representations received outside the statutory period for making such representations or which otherwise does not comply with the Regulations will be invalid and will not be taken into consideration when the application is determined. In addition the Authority expects representations to be made in accordance with Policy Two below:

Policy Two

A representation should indicate the following:

- (i) the name, address and a contact number for the person making the representation.
- (ii) the capacity in which the representation is made (i.e. interested party, responsible authority) and if made as a representative should indicate who is being represented.
- (iii) the name and address of the premises in respect of which the representation is being made.
- (iv) the licensing objective(s) relevant to the representation.
- (v) why it is felt that the application, for one or more of the following reasons;
 - is not reasonably consistent with the licensing objectives or;
 - is not in accordance with this Policy, the Commission's Guidance or the relevant Code's of Practice or;
 - otherwise should not be granted or;
 - should only be granted subject to certain specified conditions
- (vi) details of the evidence supporting the opinion in (v).

Whilst representations which are not in the preferred form or which do not fully comply with Policy Two will not automatically be rejected, they may be less likely to comply with the law relating to representations resulting in them ultimately being rejected or given little or no weight.

REASON: To ensure the representation is made by a responsible authority or interested party and that it is relevant and directly related to the application premises.

- 8.14 It is in the interest of those making representations that they include as much detail and evidence as possible at the time the representation is made. The Authority will determine whether a representation should be excluded as frivolous or vexatious based on the normal interpretation of the words. A representation may therefore be excluded if it obviously lacks seriousness or merit, or is designed to be antagonistic. An example may be a representation received from a rival operator which is based solely on the fact that the new premises would compete with their own.
- 8.15 Ordinarily where representations are received the Authority will hold a hearing. However, a hearing does not have to be held where the Authority thinks that a representation is frivolous, vexatious, or will certainly not influence the authority's determination of the matter. It is for the licensing authority to determine whether a representation falls within these categories, however, representations which comply with Policy Two are unlikely to do so.

Review

- 8.16 A premises licence may be reviewed by the licensing authority of its own volition or following the receipt of an application for a review from a responsible authority or interested party. Reviews cannot be delegated to an officer of the licensing authority – the lowest level of delegation permitted is to a licensing sub-committee (licensing panel).
- 8.17 The Act provides that licensing authorities may initiate a review of either a particular class of premises licence or a particular premises if it has reason to suspect that licence conditions are not being observed, or for any other reason (such as a complaint from a third party) which gives it cause to believe that a review may be appropriate. Officers of the Council or of a responsible authority may be involved in the initial investigations of complaints leading to a review, or may try informal mediation or dispute resolution techniques prior to a full scale review being conducted.
- 8.18 Representations and review applications will be considered by the Authority in accordance with the relevant legislation, guidance issued by the Commission, this Statement of Principles and Codes of Practice.

Vessels and vehicles

- 8.19 The Act allows pleasure boats to apply for a premises licence. As with multi-purpose buildings the part of the vessel where gambling takes place will be licensed and the usual restrictions on access for children will apply. The Act applies in relation to a vessel which is not permanently moored or berthed as if it were premises situated in a place where it is usually moored or berthed. In relation to vessels that may be moored or berthed in more than one Authority's administrative area this Authority will make arrangements as necessary with those other Authorities that are involved to agree who will receive and determine the application.
- 8.20 Vehicles (trains, road vehicles, aircraft, sea planes and amphibious vehicles other than a hovercraft) may not be the subject of a premises licence and therefore all forms of commercial betting and gaming will be unlawful in a vehicle in Great Britain. Certain allowances are made for private and non-commercial gaming or betting to take place in a vehicle, but these are subject to a number of stringent requirements. These ensure that at no point can the gambling become a commercial activity and are dealt with by the Gambling Commission.

Conditions

- 8.21 The Act provides that conditions may be attached to premises licences in a number of ways:
- automatically by the Act;
 - through regulations made by the Secretary of State;
 - by the Commission through operating and personal licences; or

- by licensing authorities.

8.22 Conditions may be general in nature and attached to all licences or all licences of a particular class, or they may be specific to a particular licence.

8.23 All premises licences are subject to mandatory and default conditions which are usually sufficient to ensure that premises are used in a way consistent with the licensing objectives. The Authority will not normally interfere with default conditions which apply by reason of regulations unless an applicant can demonstrate that alternative controls will be operated by him that achieve the same or similar effect or where the Authority is of the opinion that a more stringent condition should be imposed. In both case the Authority will give notice of its reasons for departing from the default conditions to the applicants and all parties making representation on the matter.

8.24 The Authority will not generally impose conditions that limit the use of premises for gambling unless it is considered necessary as a result of the requirement to act in accordance with the codes of practice, Gambling Commission's guidance, this Statement of Policy or in a way that is reasonably consistent with the licensing objectives.

8.25 Conditions imposed by the Authority will be proportionate to the circumstances they are intended to address and:

- relevant to the need to make the premises suitable as a gambling facility;
- directly relevant to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

8.26 The Authority will not consider imposing conditions:

- which make it impossible to comply with an operating licence
- condition imposed by the Gambling Commission.
- relating to gaming machine categories or method of operation.
- which specify that membership of a club or other body is required.
- in relation to stakes, fees, winnings or prizes.

Duplication with other statutory or regulatory regimes will be avoided as far as possible. Each application will be determined on its own merits.

9 Local Standards Relevant to Specific Types of Premises Licence

Betting

9.1 The Act contains a single class of licence for betting though there are different types of premises within this class which require licensing.

9.2 Licensable activities include:

- off-course betting;
- on-course betting for tracks (see below);
- betting by way of betting machines, and;
- up to four class B2, B3, B4, C or D category gaming machines

9.3 Factors for consideration by the Authority when determining the application will be:

- location, particularly in relation to vulnerable persons;
- suitability of the premises;
- size of premises in relation to the number of betting machines;
- the ability of staff to monitor the use or abuse of machines and;
- the provision for licence holders to ensure appropriate policies and procedures to protect vulnerable people including children are adhered to.

9.4 This is not an exhaustive list and each application will be judged on its merits. Any effective measures offered by the applicant to support the licensing objectives will be taken into account.

9.5 Conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary and such licences are subject to mandatory and default conditions applied by regulations issued by the Secretary of State.

Tracks

9.6 **General Matters Relevant to Tracks** - In addition to the Racecourse which is used both for horse racing and for dog racing the City has a number of premises that may apply for a premises licence to operate as a 'Track' for the purposes of the Gambling Act.

9.7 Tracks may be subject to one or more premises licence provided each licence relates to a specified area of the track. The Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) in the determination of premises licence applications for Tracks and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.8 Track operators are not required to hold an operators licence granted by the Gambling Commission unless they are operating gambling activities themselves. Therefore premises licences for tracks issued by the Authority are likely to contain requirements for premises licence holders relevant to their responsibilities in relation to the proper conduct of betting. The Authority recognises that Track operators will have an important role to play in the regulation of gambling activities expect that they will take proactive action appropriate to that role. For example in ensuring that betting areas are properly administered and supervised.

9.9 The Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult-only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

9.10 Applicants are encouraged to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions imposed by the Authority may include examples listed in section 5.22.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

9.11 **Gaming Machines used on Tracks** - Guidance from the Gambling Commission addresses where such machines may be located on Tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. The Authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

9.12 **Betting Premises on tracks** - A Track may hold a betting premises licence allowing betting to take place within defined areas, there may be also be a number of subsidiary licences authorising other gambling activities to take place including off-course betting. Unlike betting offices (bookmakers), a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines. Pool betting may also take place on certain types of Tracks and the appropriate operating licence to enable this will be required before a premises licence authorising this activity may be determined by the Authority.

9.13 In line with the Commission's Guidance the Authority will expect operators of self-contained units on Tracks to seek an ordinary betting premises licence to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

9.14 **Betting machines on Tracks** - The Authority will take into account the size of the premises and the ability of staff to monitor the use of these machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to

consider restricting the number and location of such machines in respect of applications for Track Betting Premises Licences.

- 9.15 When considering whether to exercise its power to restrict the number of betting machines at a track the Council will consider the circumstances of each individual application and, among other things will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.
- 9.16 **Applications and plans for Tracks** - Regulations set out specific requirements for applications for premises licences. In accordance with the Gambling Commission's suggestion that, to ensure the Authority gains a proper understanding of what it is being asked to licence the premises licence application pack for a Track includes the information that is required which includes detailed plans for the racetrack itself and the area(s) that will be used for temporary "on-course" betting facilities (often known as the "betting ring") and in the case of dog tracks and horse racecourses, fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities. Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence. It would be helpful to the Authority and the Responsible Authorities if the plans were marked using a colour-coded scheme or at a minimum by use of a key to denote the use of those areas shown.

Casinos

- 9.17 The City Council did not exercise its right under s175 of the Act to make an expression of interest to the Casino Advisory Panel for one of the small, large or regional casinos enabled by the Government in 2005. Six existing operators were entitled to and were granted Converted Casino Licences under the Act and can continue to operate throughout the City.
- 9.18 In 2006 the Licensing Authority passed a resolution under section 166 of the Act not to issue any new casino premises licences for its administrative area. This was reviewed and retained in 2009, 2012 and 2019 and the resolution has again been reviewed and subsequently renewed by the Authority during the review of this Statement of Policy. A copy of the most recent resolution and matters to which regard was had when making it is included at appendix 2 of this policy.
- 9.19 The Act and regulations attach a number of conditions automatically to a casino licence according to the gambling activities permitted to take place on the premises and the controls that are required by way of codes of practice which are, in effect, industry standards. See other parts of this Statement for the Authority's general approach to other conditions that it may impose.

- 9.20 The Gambling Commission's code of practice deals with matters including access to casino premises by children and young persons, the giving of credit and the ban on gambling taking place on Christmas Day. In particular the code specifies that no one under the age of 18 is allowed to enter certain casino premises and entrances to the casino gambling area would be required to be properly supervised.
- 9.21 Casino premises licences will be monitored by the Authority so far as the Act, the guidance, and the codes of practice allow. Such licences are also subject to the review process but the 'no casino' resolution is not a factor that can be taken into account by the Authority in calling for a review.

Bingo

- 9.22 Bingo is a class of equal chance gaming and is permitted in alcohol licensed premises and in clubs provided it remains below a certain prescribed threshold. If the only type of bingo to be provided is prize bingo then this may be authorised by way of a permit – see the section on prize gaming permits later in this Statement of Policy. Other types of Bingo will require a bingo operating licence from the Gambling Commission and in addition a premises licence from this Authority.
- 9.23 **Access by Children** - A limited number of gaming machines may also be made available at bingo licensed premises. If children are allowed to enter premises licensed for bingo it is important that they do not participate in gambling, other than on category D machines. Mandatory Conditions apply in such circumstances to ensure that children cannot gain access to other types of gaming machines.
- 9.24 **Suitability and Layout of Bingo Premises** - The Gambling Commission has issued guidance about the need for licensing authorities take into account the suitability and layout of bingo premises. Therefore plans should make clear what is being sought for authorisation under the bingo premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence. It would be helpful to the Authority and the Responsible Authorities if the plans were marked using a colour-coded scheme or at a minimum by use of a key to denote the use of those areas shown.

Adult Gaming Centres

- 9.25 These premises must be operated by the holder of a gaming machine general operating licence from the Gambling Commission as well as a premises licence from the Authority.
- 9.26 Permitted activities include:
- A prescribed number of Category B gaming machines
 - unlimited category C and D machines.

The Category B machines are limited to B3 and B4

9.27 Factors for consideration by the Authority when determining the application for an Adult Gaming Centre will include:

- the location;
- the ability of operators to minimise illegal access to the premises by under 18's

This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.

9.28 Conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary. In addition to the mandatory and default conditions attached by regulations issued by the Secretary of State. No one under the age of 18 is permitted to enter an Adult Gaming Centre.

9.29 The Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant for an Adult Gaming Centre to satisfy the authority that there will be sufficient measures to control access to and participation in gambling by such persons, for example to meet the third licensing objective.

9.30 The Authority will also expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions imposed by the Authority may cover issues addressed by the example measures listed in section 5.22

This list is neither mandatory nor exhaustive and is merely indicative of example measures.

Licensed Family Entertainment Centres

9.31 There are two classes of Family Entertainment Centres (FECs) dependent upon the type of gaming machines provided on the premises:

- FECs with category C and D machines require a Premises Licence.
- Unlicensed FECs provide only category D machines and are regulated through FEC gaming machine permits (see below)

9.32 In determining the suitability of the location, consideration will be given to the following factors:

- proximity of premises to schools and other educational establishments
- proximity of premises to any setting or location frequently used by children and young people up to the age of 25, such as youth, leisure or sports clubs
- proximity of premises to residential hostels for vulnerable adults , and to locations used to deliver mental health services, drug and alcohol support services, smoking cessation services, wellbeing support services, and / or gambling treatment and support services

- locations used to deliver mental health services, drug and alcohol support or recovery services, smoking cessation services, wellbeing support services, homelessness services, residential hostels for vulnerable adults, financial and debt advice and support services, and / or gambling treatment, support or recovery services
- proximity to residential areas where there may be a high concentration of families with children
- whether the premises have a town centre or edge of town centre location.
- proximity to premises licensed for alcohol or gambling

9.33 The Authority will have specific regard to the third licensing objective (the need to protect children and vulnerable persons from harm or being exploited by gambling) and will expect the applicant to satisfy the Authority in this respect.

9.34 Conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary in addition to the mandatory and default conditions attached by regulations issued by the Secretary of State. Applicants are encouraged to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions imposed by the Authority may cover issues addressed by the example measures listed in section 5.22:

This list is neither mandatory nor exhaustive and is merely indicative of example measures.

10 Notifications

Temporary use notices

10.1 Premises which are not licensed for gambling may be used by a licensed operator for an aggregate period of 21 days in a period of 12 months for prescribed types of gambling. In order to do so the operator must serve a temporary use notice (or notices) on the Licensing Authority, the Commission and the Police. These are the only bodies who may object to such a notice. In such circumstances a hearing may be held and the Licensing Authority may prevent the notice from taking effect or limit the activities or impose conditions.

Occasional Use Notices

10.2 Betting on unlicensed tracks may also be authorised for up to 8 days in a calendar year by the service of occasional use notices by the occupier of the track or the person responsible for the administration of the event. As long as the notice relates to a track and does not exceed the 8 day limit then there is no provision for objections to be made to this type of activity or for it to be prohibited.

11 PERMITS AND REGISTRATIONS

Gaming machines – General

- 11.1 Permits are generally required for the use of gaming machines on premises which do not require a premises licence under this Act. Applications for permits are not required to be notified to the public in the same way as applications for premises licences and the right to make representations is limited to certain specified responsible authorities. In exercising its duties in relation to these functions the Licensing Authority is not under a duty to aim to permit the use of premises for gambling and need not in all cases have regard to the licensing objectives.
- 11.2 A gaming machine can cover all types of gambling activity which can take place on a machine, including betting on ‘virtual’ events. Legislation prescribes the number and category of gaming machines that are permitted in each type of licensed gambling premises. Subject to the provisions of the Act however, gaming machines can also be made available in a variety of other premises, including:
- Family entertainment centres
 - Clubs
 - Pubs and other alcohol licensed premises
 - Travelling fairs
- 11.3 A machine is not a gaming machine if the winning of a prize is determined purely by the player’s skill. However, any element of ‘chance’ imparted by the action of the machine would cause it to be deemed a gaming machine.
- 11.4 The Authority encourages permit and premises licence holders to apply relevant codes of practice which may be introduced by the amusement industry from time to time, to their operations.

Gaming machines in premises licensed to sell alcohol

- 11.5 The Act provides for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. However to rely on this automatic entitlement the person who holds the Premises licence under the Licensing Act 2003 must formally notify the Licensing Authority and pay the prescribed fee. Failure to do so means that the gambling is unauthorised and the premises user or any person who makes the machine available for use commits an offence. A suitable form of notification is available from the Licensing Service. The Authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
 - gaming has taken place on the premises in breach of the automatic entitlement provisions contained in S282 of the Act;

- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

11.6 If a premises wishes to have more than 2 machines it needs to apply to for a licensed premises gaming machine permit. In determining such an application regard will be had to the licensing objectives and any guidance issued by the Gambling Commission. In particular the Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Suitable notices and signage may also be support the applicant's commitment. As regards the protection of vulnerable persons, applicants may wish to consider example policies and procedures listed in section 5.22

11.7 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence or a Family Entertainment Centre (either licensed or unlicensed) dependent upon the classification of the machines intended to be used.

11.8 It should be noted that the Authority can decide to grant the application for a licensed premises gaming machine permit with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

11.9 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

Club Gaming Permits and Club Machine Permits

11.10 These permits are required where members clubs and Miner's Welfare Institutes wish to offer higher stakes gaming and higher category gaming machines than allowed under automatic entitlement. The number of machines is limited by regulation.

11.11 Club gaming permits authorise qualifying clubs to provide gaming machines as well as equal chance gaming and games of chance as prescribed in regulations.

11.12 Club machine permits allow the provision of gaming machines where the premises licence holder wishes to offer higher stakes gaming machines than allowed under automatic entitlement but is either a commercial club or does not wish to offer higher stakes gaming. The number of machines is limited by regulation.

11.13 Commercial clubs may in some circumstances operate with club machine permits but not club gaming permits.

11.14 The Authority may only refuse an application on the following grounds:

- a) the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and / or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Commission or the police;
- f) and in the case of (a) or (b) must refuse the permit. The authority may grant or refuse a permit, but it may not attach conditions to a permit.

Prize Gaming Permits

11.15 These permits cover gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming - the prize is determined by the operator before play commences.

11.16 Consideration will be given to the following factors:

- proximity of premises to schools and other educational establishments
- proximity of premises to any setting or location frequently used by children and young people up to the age of 25, such as youth, leisure or sports clubs
- proximity of premises to residential hostels for vulnerable adults , and to locations used to deliver mental health services, drug and alcohol support services, smoking cessation services, wellbeing support services, and / or gambling treatment and support services
- locations used to deliver mental health services, drug and alcohol support or recovery services, smoking cessation services, wellbeing support services, homelessness services, residential hostels for vulnerable adults, financial and debt advice and support services, and / or gambling treatment, support or recovery services
- proximity to residential areas where there may be a high concentration of families with children
- whether the premises have a town centre or edge of town centre location.
- proximity to premises licensed for alcohol or gambling

It should be noted that a permit cannot be issued in respect of a vessel or a vehicle.

11.17 The application process for such permits is for Licensing Authority to determine, however, the applicant must be 18 years of age or over. The Council has a prescribed form which it requires applicants to use and which is available from

the Licensing Office or online at www.nottinghamcity.gov.uk. Regard will be had to any unspent “Relevant Convictions” (defined by Schedule 7 of the Act) which may be revealed. In addition the Safeguarding Children Partnership and Police will also be consulted on the application. The Authority has determined that regard will be had to the licensing objectives when determining such applications notwithstanding the Authority’s wide discretion when considering such matters.

Unlicensed Family Entertainment Centres (also known as Unlicensed FECs /Family Entertainment Centre Gaming Machine Permits)

11.18 Where premises do not hold a premises licence but wish to provide gaming machines, the occupier or user may apply to the Authority for a FEC Gaming Machine Permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use and may only offer category D machines.

11.19 An application for a permit may only be granted if the Authority is satisfied that the premises will be used as an unlicensed FEC, and if the Police have been consulted on the application. The application process for such permits is for Licensing Authority to determine, however, the applicant must be 18 years of age or over.

11.20 The Council has a prescribed form which it requires applicants to use and which is available from the Licensing Office or online at www.nottinghamcity.gov.uk. Regard will be had to any unspent “Relevant Convictions” (defined by Schedule 7 of the Act) which may be revealed. In addition the Safeguarding Children Partnership and Police will also be consulted on the application. The Authority has determined that regard will be had to the licensing objectives when determining such applications notwithstanding the Authority’s wide discretion when considering such matters. Applicants will also need to demonstrate:

- a right to occupy application premises
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that staff are appropriately trained to have a full understanding of the maximum stakes and prizes.

11.21 In considering applications for permits the Authorities will also consider the suitability of the location of the premises, in particular

- proximity of premises to schools and other educational establishments
- proximity of premises to any setting or location frequently used by children and young people up to the age of 25, such as youth, leisure or sports clubs
- proximity of premises to residential hostels for vulnerable adults , and to locations used to deliver mental health services, drug and alcohol support services, smoking cessation services, wellbeing support services, and / or gambling treatment and support services

- locations used to deliver mental health services, drug and alcohol support or recovery services, smoking cessation services, wellbeing support services, homelessness services, residential hostels for vulnerable adults, financial and debt advice and support services, and / or gambling treatment, support or recovery services
- proximity to residential areas where there may be a high concentration of families with children
- whether the premises have a town centre or edge of town centre location.
- proximity to premises licensed for alcohol or gambling

11.22 The Authority may grant or refuse the permit but cannot attach conditions to this type of permit.

Lotteries (Small Society Lotteries)

11.23 The purpose of permitted lotteries is to raise money for causes that are non-commercial and therefore the Act requires that a minimum proportion of the money raised by the lottery is channeled to the goals of the society that promoted the lottery.

11.24 A lottery is unlawful unless it is run in accordance with an operating licence issued by the Gambling Commission or it is an 'exempt' lottery as defined by the Act. One of those exemptions is in respect of what are termed "small societies lotteries". Small Society lotteries are distinguished from large society lotteries by the amount of the proceeds that they generate. A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less. Other lotteries are dealt with by the Gambling Commission.

11.25 If a small society lottery breaches these limits it will be in breach of the Act and will be liable to prosecution. Guidance for persons wishing to operate a small society lottery is available from the Licensing Service.

11.26 Small society lotteries are required to be registered with the local authority in the area where their principal office is located. A society with its principle office within Nottingham must register with the Authority if it is a 'non-commercial' lottery; for example, if it is established and conducted:

- for charitable purposes ;
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity;
- below the permitted maximum financial limits; or
- for any other non-commercial purpose other than for private gain.

11.27 An application form is available from the Licensing Service and when registration is completed the organiser will be informed by that Service. The Authority will maintain a register of small society lotteries which it has registered.

11.28 Refusal of registration shall be in accordance with the Act and Guidance and in particular a registration may be refused or revoked if it is believed that:

- the applicant is not a non-commercial society,
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, or
- information provided in or with the application for registration is false or misleading.
- An operating licence held by the applicant for registration has been revoked or an application for an operating licence has been refused.

11.29 As part of the application the Authorities will ask applicants to set out the purposes for which the society is established in order to ensure that they represented a bona fide noncommercial society and have no relevant convictions. Where the Authority feels it appropriate on the circumstances of each case it will consider whether there are factors which suggest that further enquiry is needed before registration occurs.

11.30 The Authority will only refuse an application to register after the society has had the opportunity to make representations. The Authority will inform the society of the reasons why it is minded to refuse registration and the evidence on which it has that has reached that preliminary conclusion. Persons wishing to make representation about an application for registration may request a copy of the procedures that will be followed by contacting the Licensing Service. A copy will also be on the Licensing Service web site.

11.31 A registration may be revoked if the authority would have been entitled to refuse an application for registration had it been made at that time. No revocation can take place unless the society has had the opportunity to make representations.

11.32 Schedule 11 of the Act details the information that must be returned to the Authority no later than 3 months after the lottery. The returns required to be made must be sent to the Licensing. Operators are recommended to send these by recorded delivery to ensure receipt. Statements submitted over the previous 18 months **must** be available for inspection. Failure to provide a statement is an offence.

11.33 The Commission recommends that operators maintain written records of unsold and returned tickets for a period of one year. The licensing authority is permitted to inspect the records of the lottery for any purpose related to the lottery and expect operators to maintain the aforementioned written records.

11.34 If registered if a society fails to comply with any of the other conditions of a small society lottery laid down in Part 4 of Schedule 11 it will be operating in an illegal manner. Under these circumstances the society may be prosecuted by the Commission, the police or the licensing authority.

Travelling fairs

- 11.35 Where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, it falls to this Authority to decide whether the statutory requirement, that the facilities for gambling amount to no more than an ancillary amusement at the fair, is met. The Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 11.36 It should be noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held regardless of whether it is the same or different travelling fairs occupying the land. The Authority will work with the appropriate Departments within the City Council, with its neighbouring authorities and land owners to ensure that land, particularly that crosses our boundaries is monitored so that the statutory limits are not exceeded.
- 11.37 A guide for those wishing to operate gambling machines at travelling fairs is available on the Commission website.

12 Exchange of and Access to Information

12.1 Section 29 of the Act enables the Commission to require information from licensing authorities, including the manner in which the information is compiled, collated and the form in which it is provided, providing that it:

- forms part of a register maintained under the Act
- is in the possession of the licensing authority in connection with a provision of the Act.

12.2 Section 350 of the Act allows licensing authorities to exchange information with other persons or bodies for use in the exercise of functions under the Act. Those persons or bodies are listed in Schedule 6(1) as:

- a constable or police force
- an enforcement officer
- a licensing authority
- HMRC
- the First Tier Tribunal
- the Secretary of State
- Scottish Ministers.

12.3 The Authority will act in accordance with all the relevant legislation and guidance from the Commission with regard to data protection and the freedom of information. Additionally the Authority will adopt and apply the principles of better regulation.

13 Fees

13.1 Premises licence fees in England and Wales will be set via a series of bands, with a prescribed maximum in each band. Licensing authorities are able to set fees from within the bands, limited to cost recovery. The fees set by Nottingham City Council's Licensing Committee are available on request from the Licensing Service.

14 Delegations

14.1 The list of delegations used by this Authority is available on the Licensing Service website www.nottinghamcity.gov.uk .

15 Inspection and Enforcement

15.1 The statutory principles of good regulation and the Regulators' Code. This means that inspection and enforcement activities must be carried out in a way which is transparent, accountable, proportionate, consistent and targeted, and promotes efficient and effective regulatory approaches which improve outcomes without imposing unnecessary burdens on business.

15.2 It is the Commission's intention that, where appropriate, there should be consistency across licensing authorities about the manner in which functions under the Act are carried out. This is important so as:

- to achieve a consistent standard of regulation and shared priorities ensuring that the licensing objectives are promoted; and
- to minimise the impact of regulation on businesses by ensuring that operators receive sufficient advice to help them understand and comply with gambling regulation and know what the requirements of licensing authorities are likely to be.

15.3 The Act gives licensing authorities a range of powers to inspect premises used for gambling purposes that fall within their sphere of responsibility, to ensure compliance with the Act and where necessary to take enforcement action should the Act be breached.

15.4 In undertaking such duties the Authority will have regard to the requirements of the Regulators Code and the enforcement policy adopted by the Council. The Authority will aim to be:

- proportionate: regulators should only intervene when necessary;
- remedies should be appropriate to the risk posed, and costs identified and minimised;
- accountable: regulators must be able to justify decisions, and be
- subject to public scrutiny;
- consistent: rules and standards must be joined up and
- implemented fairly;
- transparent: regulators should be open, and keep regulations
- simple and user friendly; and
- targeted: regulation should be focused on the problem.

- 15.5 The Authority will operate a risk-based inspection programme which includes targeting high-risk premises and activities which require greater attention so that resources are effectively concentrated on problems relevant to the regime. The level of risk will be determined by criteria such as that issued by the Commission in its guidance to local authorities.
- 15.6 The primary function of the Council's enforcement work is to protect the public and the environment. At the same time fair and consistent enforcement helps to maintain a level playing field for local businesses, individuals and our other service users.
- 15.7 We recognise that the effectiveness of legislation depends upon the compliance of those regulated and that most businesses and individuals want to comply with the law. We will therefore assist and advise wherever possible, whilst taking firm action against those who break the law or act irresponsibly

Policy Three

The authority will adopt a risk based assessment approach for determining the frequency of compliance inspections. The risk rating will be based broadly on the following factors:

- **location of the premises and their impact on the surrounding area,**
- **specific or increased risks of gambling related harm identified for the location or local area, including in any Local Area Profile published by the Authority in future**
- **enforcement history of the premises,**
- **nature of the licensed or permitted operation,**
- **potential to have an adverse affect on the licensing objectives, and;**
- **management record.**

REASON: To provide a targeted and cost efficient enforcement service which will encourage and improve operating practice, promote the licensing objectives, and drive out poor practices; whilst at the same time meet accepted best practice principles of compliance inspection.

16 MONITORING AND REVIEW OF THIS STATEMENT

- 16.1 This Policy Statement will be reviewed at least every three years. In preparing succeeding policy statements regard will be had to data and information collated over the operating period of the current policy together with trends and the outcome of related initiatives from both local sources and nationally issued data and guidance.

16.2 Bodies that are Responsible Authorities for the purpose of the Act will be encouraged to report to the Authority on relevant issues within the remit of that body under the licensing function.

APPENDIX 1

PERSONS CONSULTED FOR THE PURPOSE OF THE STATEMENT OF GAMBLING POLICY

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted those organisations and individuals that it knows have an active gambling operation within the City.
- One or more persons who appear to the authority to represent the interests of those likely to be affected by the exercise of the authority's functions under the Act
- The following were directly consulted and the draft Statement of Policy was available for comment on the Authority's website:
 - (a) Chief Officer of Police.
 - (b) Director of Growth and City Development, Nottingham City Council.
 - (c) Director of Resident Services, Nottingham City Council.
 - (d) Local elected representatives (Councillors and MPs).
 - (e) The Nottingham City Crime and Drugs Partnership.
 - (f) Premises holding licences under the Licensing Act 2003.
 - (g) Nottingham Safeguarding Board
 - (h) The Responsible Authorities (see section 6)

Our consultation took place between inclusive and followed the Cabinet Office Guidance on consultations by the public sector (updated 2018)

Any comments as regards this document should be sent by e-mail or letter to:

The Licensing Officer
Licensing
Humber Building
Eastcroft Depot
London Road
Nottingham
NG2 3AH
Email: general.licensing@nottinghamcity.gov.uk

APPENDIX 2

'NO CASINO' RESOLUTION MADE UNDER S166

On 11 December 2006 Nottingham City Council adopted a resolution pursuant to section 166 of the Gambling Act 2005 that, no new premises licences for casinos will be issued for the administrative area of the City of Nottingham. This resolution was reviewed and renewed alongside the Authority's Gambling Policy in 2009, 2012, 2015, 2019 and 2021. On 11 November 2024 the City Council once again resolved that with effect from 31 January 2025 no new premises licences will be issued for casinos in the administrative area of the City of Nottingham.

Principles/matters to which regard was had in passing the resolution

Nottingham is the regional centre for culture and leisure in the East Midlands. It has a vibrant city centre, a flourishing multi-cultural artistic scene, major sporting and entertainment venues, theatres, cinemas and a range of local community facilities and events. However,

- The City has no Electoral Wards that are wholly or mainly industrial and many areas are primarily residential.
- The City as a whole was ranked 11th out of 317 local authorities based on 2019 Index of Multiple Deprivation score measures.
- The City has a high level of potentially vulnerable people including a high proportion of unemployed and 20.7% of the resident population aged 16 years or over were school pupils or full-time students

The higher than national averages of deprivation, unemployment and young persons in the City are of particular importance bearing in mind the licensing objective to protect children and other vulnerable people from being harmed by gambling. The statistics and information outlined in the Introduction to this Statement of Policy shows that the City has a high level of potentially vulnerable people contained within a relatively small geographical area but also has a high concentration of licensed and other premises providing leisure, entertainment and other recreational facilities. This includes 6 licensed casinos which took advantage of ability to apply for grandfather rights to continue in operation under the 2005 Act. The City also has many hundreds of other types of gambling outlets.

The City Council believes that the local economy requires careful support and nurture in order to maintain the City's position as a regional centre. The level of jobs created by a new casino would not be expected to be significant in reducing the unemployment rate for the City and no guarantee can be given that the City's population alone will be given any jobs created.

The City Council is concerned that the introduction of a new Casino of the type permitted by the Gambling Act, (the smallest of which would be considerably larger than any of the existing licensed casinos) may have an adverse impact on the local community and economy and may not be consistent with the licensing objectives. The City Council therefore passed the resolution outlined above to further protect its position. In the event of more casino licences becoming available under Section 175 of the Gambling Act the Authority may reconsider the “no casino” resolution and rescind it if it is felt appropriate at that time. This resolution will in any event be reconsidered in accordance with statutory requirements at least once every three years.

City Council – 8 July 2024

Report of the Chair of the Health and Wellbeing Board

Corporate Director/ Director:

Beth Brown, Director of Legal and Governance

Report Author and Contact Details:

Jane Garrard, Senior Governance Officer

jane.garrard@nottinghamcity.gov.uk

Title: Amendments to the Constitution

Does the report form part of the Budget or Policy Framework?

Yes No

Commissioner Consideration

Has this report been shared with the Commissioners' Office? Yes No

Any comments the Commissioners wish to provide are listed below.

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 Council can establish committees to discharge some of its non-executive functions, and determines the functions they may exercise and their terms of reference and their composition and makes appointments to them. It has established a Health and Wellbeing Board, as required by the Health and Care Act 2012, to bring key local leaders together to improve the health and wellbeing of the population of Nottingham and reduce health inequalities. The terms of reference for the Board are set out in Article 9 Non-Executive Functions and Committees of the Constitution. Council is asked to approve amendments to the terms of reference for the Board.
- 1.2 Council is responsible for amending the Constitution. Therefore, Council is also asked to update Article 9 of the Constitution to reflect the changes to the terms of reference for the Health and Wellbeing Board.
- 1.3 The Director of Legal and Governance has delegated authority to make amendments to the Constitution that relate to decisions that only have to be noted by Council e.g. Executive changes made by the Leader of Council. Council is also asked to note that the

Constitution has been amended to reflect a change made by the Leader of the Council to the terms of reference for the Companies Governance Executive Committee.

2. Recommendations

- 2.1 To amend the terms of reference for the Health and Wellbeing Board to:
 - i) replace the Corporate Director for People and Director for Adult Health and Care with the Corporate Director for Children and Education (director of children's services) and Corporate Director for Adult Social Care and Health (director of adult social services) as voting members of the Board; and
 - ii) change objective (f) to "agree and oversee delivery of the Better Care Fund, including discharge of all functions that are the responsibility of the Health and Wellbeing Board as set out in the Section 75 Agreement".
- 2.2 To amend Article 9 Non-Executive Functions and Committees of the Constitution to reflect these changes to the Health and Wellbeing Board Terms of Reference.
- 2.3 To note that the Leader of the Council has amended the terms of reference for the Companies Governance Executive Committee to remove the requirement for a specific Executive Member to chair the Committee and appoint Councillor Ethan Radford to replace Councillor Linda Woodings as Chair; and that Article 10 Executive Arrangements of the Constitution has been amended to reflect this change.

3. Reasons for recommendations

- 3.1 Council can establish a committee to discharge some of its non-executive functions and determines the functions they may exercise and their terms of reference and their composition and make appointments to them. Amendments to these arrangements can only be made by Council.
- 3.2 Adopting and amending the Constitution are functions that can only be exercised by Council. Delegation 77 enables the Director of Legal and Governance to make amendments to the Constitution that relate to decisions that only have to be noted by Council e.g. Executive changes made by the Leader, but the Constitution requires that these changes are reported to Council.

4. Other options considered in making recommendations

- 4.1 Approval of amendments to the Health and Wellbeing Board terms of reference - The discharge of functions by committees is regularly reviewed. Reasons for proposed changes and not continuing with same arrangements as previously are set out in section 7 of this report.
- 4.2 Noting the amendment to the Companies Governance Executive Committee terms of reference - The decision to amend the terms of reference has been made by the Leader of the Council, and Council is required to note that the Constitution has been amended to reflect this change.

5. Consideration of Risk

- 5.1 It is important that the nature and extent of delegations of non-executive functions by Council and the arrangements for the delegation of executive functions by the Leader of the Council are clearly articulated in the Council's Constitution to ensure clarity

about their discharge and roles and responsibilities within the Council's governance framework.

6. **Best Value Considerations**

- 6.1 The report sets out proposals to amend the terms of reference for the Health and Wellbeing Board to ensure efficient and effective discharge of functions that are the responsibility of the Board.

7. **Background (including outcomes of consultation)**

7.1 **Non Executive Amendments to the Constitution – Amendments to the terms of reference for the Health and Wellbeing Board**

Council can establish committees to discharge some of its non-executive functions. Details of the committees it establishes and the functions delegated to each committee can be found in Article 9 Non-Executive Functions and Committees of the Constitution. In establishing non-executive committees, Council determines the functions they may exercise and their terms of reference; their composition and makes appointments to them; and appoints the chairs of those committees (unless otherwise specified in an individual committee's terms of reference).

- 7.2 As required by the Health and Social Care Act 2012 the Council has established a Health and Wellbeing Board to share leadership on the strategic approach to improving the health and wellbeing of local communities. The purpose of the Board is to bring key local leaders together to improve the health and wellbeing of the population of Nottingham and reduce health inequalities.

- 7.3 The Act requires that the membership of the Board must include the director of adult social services and the director of children's services as voting members. For a number of years, both of these roles have been held by the Corporate Director and therefore the Corporate Director for People has been a member of the Board exercising the director of children's services vote and the Director of Adult Health and Care has been a member of the Board exercising the director of adult social services vote. Now that the role of Corporate Director for People is being replaced by a Corporate Director for Children and Education (holding the statutory role of director of children's services) and a Corporate Director for Adult Social Care and Health (holding the statutory role of director of adult social services) these two post holders will be the voting members of the Board. Council is asked to amend the terms of reference for the Board to reflect this.

- 7.4 As set out in legislation, one of the roles of the Health and Wellbeing Board is to oversee the Better Care Fund (BCF). The Better Care Fund was established in 2015 to pool budgets between the NHS and local authorities, aiming to reduce the barriers often created by separate funding streams, and the Council and Nottingham and Nottinghamshire Integrated Care Board have a Section 75 Partnership Agreement in place relating to the commissioning of health and social care services within the BCF. In previous years the Board has established a Sub-Committee to act as the Programme Board for the Fund. The need for, and operation of this Sub-Committee has been reviewed and, based on the findings of that review, at its meeting on 29 May 2024 the Board agreed to discontinue the Sub-Committee and carry out all functions relating to the BCF that are the responsibility of the Health and Wellbeing Board directly. The current terms of reference for the Board state that the Board will "oversee the Better Care Fund". In order to provide clarity on its role the Board supports an amendment of its terms of reference to: "agree and oversee delivery of

the Better Care Fund, including discharge of all functions that are the responsibility of the Health and Wellbeing Board as set out in the Section 75 Agreement". Council is asked to amend the terms of reference for the Health and Wellbeing Board accordingly.

7.5 Executive Amendments to the Constitution – Amendment to the terms of reference for the Companies Governance Executive Committee

The Companies Governance Executive Committee is an Executive Committee established by the Leader of the Council to ensure that the Council's strategic objectives are met across the group of companies or other entities in which the Council has an interest. The terms of reference for the Committee are set out in Article 10 Executive Arrangements of the Constitution. On 5 June 2024 the Leader of the Council amended the terms of reference for the Committee to remove the requirement for the Committee to be chaired by the Executive Member for Finance and Resources and enable the Chair to be appointed from any of the Committee's members; and appointed Councillor Ethan Radford to replace Councillor Linda Woodings as Chair of the Committee. Council is asked to note that Article 10 has been amended by the Director of Legal and Governance under delegation 77 to reflect this change.

8. Commissioner comments

8.1 Commissioners agree with the recommendations.

9. Finance colleague comments (including implications and value for money)

9.1 In relation to the recommendation (1) in this report, the replacement of the Corporate Director for People and Director for Adult Health and Care with the Corporate Director for Children and Education and Corporate Director for Adult Social Care and Health does not attract any allowances. In addition, overseeing delivery of the Better Care Fund does not affect the current funding envelope.

9.2 In relation to the second recommendation, the chair of the Companies Governance Executive Committee does not receive an allowance.

9.3 Overall, the recommendations do not have any financial implications.

Alfred Ansong, Interim Strategic Finance Business Partner

10. Legal colleague comments

10.3 The recommendations contained in this report raise no significant legal issues. It is an essential element of good governance that the Council has a clear, concise and up to date Constitution that sets out in a very transparent manner how the Council conducts its business.

Beth Brown, Director of Legal and Governance

11. Other relevant comments

11.1 None

12. Crime and Disorder Implications (If Applicable)

12.1 Not applicable

13. Social value considerations (If Applicable)

13.1 Not applicable

14. Regard to the NHS Constitution (If Applicable)

14.1 Not applicable

15. Equality Impact Assessment (EIA)

15.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the proposals do not relate to a new or changing policy, service or function.

16. Data Protection Impact Assessment (DPIA)

16.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because the proposals do not involve use of personal or sensitive data.

17. Carbon Impact Assessment (CIA)

17.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because the proposals do not have any significant carbon impact.

18. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

18.1 None

19. Published documents referred to in this report

19.1 Report to and minutes of the meeting of the Health and Wellbeing Board held on 29 May 2024

19.2 Article 9 Non-Executive Functions and Committees of the Council's Constitution

19.3 Article 10 Executive Arrangements of the Council's Constitution

19.4 Health and Social Care Act 2012

Councillor Pavlos Kotsonis

Chair of Health and Wellbeing Board/ Executive Member for Adult Social Care and Health

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