

Public Document Pack



Nottingham
City Council

You are hereby summoned to attend a meeting of **City Council** at Council Chamber, the Council House on Monday, 11 November 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 9 September 2024** 5 - 22
- 6 To confirm the minutes of the Extraordinary meeting of Council held on 30 September 2024** 23 - 26
- 7 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive** Verbal
- 8 Questions from Councillors - to the City Council's lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority** To follow
- 9 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
- 10 Decisions taken under Urgency Procedures** 27 - 30
Report of the Leader of the Council
- 11 Audit Committee Annual Report 2023/24** 31 - 52
Report of the Chair of the Audit Committee
- 12 Review of Statement of Gambling Policy** 53 - 126
Report of the Chair of the Licensing Committee
- 13 Designation of Chief Finance Officer/ Section 151 Officer** To follow
Report of the Head of Paid Service
- 14 Motion in the name of Councillor Sam Lux**
As a globally recognised climate leader, Nottingham City Council is committed to embedding equitability into the city's decarbonisation journey. It must therefore support citizens to shape and benefit from local climate policy, so that Nottingham can successfully reduce emissions and in a way that improves the wellbeing of all its communities. The Strategic Council Plan 2024-27 includes a

commitment to “engage with our diverse local communities through a Nottingham Climate Assembly, working towards a more informed and resilient city”.

Nottingham Green Partnership and Nottingham Climate Assembly have been working tirelessly to make this happen. Already they have organised a series of volunteer-run mini-assemblies across the city to instigate rich conversations about the climate and ecological emergency, and how we can collectively work towards carbon neutrality. These eight mini-assemblies (Nottingham University Hospitals Trust, Emmanuel School, Green Festival, Green Hustle, Nottingham College, with Environmental groups, Nottingham City Council, Green Meadows) have illuminated new insights into what can be done by local people working together and developed a range of ideas and projects. Further mini-assemblies will take place at Farnborough School, Trades Council, Nottingham University, BACKLIT, Age Friendly Nottingham, Its in Nottingham, and Nottingham Women’s Centre. The aim is to hold the full Nottingham Climate Assembly over four weekends in 2025. A climate assembly for the city, which will meaningfully give voice to our diverse communities, necessitates a representative sample of the population involved. Participants will be financially supported through the process to maximise inclusivity, and they need to be informed by experts in the field to help them reach their conclusions. There are therefore significant costs associated. Fundraising is underway, with several thousand pounds raised towards the goal, but much more is needed and part of the fundraising strategy is to launch a Crowdfunder. This is taking place on 18 November at the Nottingham Green Partnership.

This Council resolves to:

- give full support to the efforts of Nottingham Green Partnership;
- thank all the people who have been involved in reaching this point in the project; the members of the Oversight Panel who have given their time and expertise and the committed group of volunteers from Nottingham Climate Assembly, a not for profit organisation, who have organised and facilitated the mini-assemblies and spread the word about the importance of talking about the subject of climate in the city;
- continue to support the work of Nottingham Green Partnership, working towards the Nottingham Climate Assembly and give our support to the launch of the Crowdfunder and future fundraising efforts.

Approval of the motion does not commit the Council to any financial expenditure, including in relation to officer time. Any expenditure would be subject to a separate decision(s) taken in accordance with the decision-making requirements set out in the Council’s Constitution.

15 Committee Membership Changes

To note the following changes to committee membership:

- a) Councillor Liaquat Ali has been appointed to replace Councillor AJ Matsiko as a member of the Audit Committee
- b) Councillor Sam Gardiner has been appointed to replace Councillor Maria Joannou as a member of the Audit Committee
- c) Councillor AJ Matsiko has been appointed to replace Councillor Matt Shannon as a member of the Licensing Committee
- d) Councillor Maria Joannou has been appointed to replace Councillor Devontay Okure as a member of the Licensing Committee
- e) Councillor Matt Shannon has been appointed to replace Councillor Farzana Mahmood as a member of the Health and Adult Social Care Scrutiny Committee
- f) Councillor Devontay Okure has been appointed to replace Councillor Sam Gardiner as a member of the Communities and Environment Scrutiny Committee
- g) Councillor Michael Edwards has been appointed to replace Councillor Devontay Okure as a member of the Joint Committee on Waste and Mineral Planning
- h) Councillor Naim Salim has been removed as a member of the Planning Committee leaving a vacant seat.

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 8 November 2024.

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 1 November 2024

Director for Legal and Governance

To: All Councillors of Nottingham City Council

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Minutes of the meeting of the City Council

held at the Council Chamber, Council House

on 9 September 2024 from 2.00 pm - 4.35 pm

Attendances:

✓ Councillor Carole McCulloch (Lord Mayor)

<ul style="list-style-type: none"> ✓ Councillor Saj Ahmad ✓ Councillor Liaqat Ali ✓ Councillor Leslie Ayoola Councillor Cheryl Barnard ✓ Councillor Steve Battlemuch Councillor Graham Chapman ✓ Councillor Kevin Clarke ✓ Councillor Audrey Dinnall ✓ Councillor Michael Edwards Councillor Nadia Farhat ✓ Councillor Faith Gakanje-Ajala Councillor Samuel Gardiner Councillor Sam Harris ✓ Councillor Jay Hayes ✓ Councillor Patience Uloma Ifediora ✓ Councillor Imran Jalil ✓ Councillor Corall Jenkins Councillor Maria Joannou ✓ Councillor Kirsty Jones ✓ Councillor Kirsty L Jones ✓ Councillor Helen Kalsi ✓ Councillor Angela Kandola ✓ Councillor Anwar Khan ✓ Councillor Zafran Nawaz Khan ✓ Councillor Gul Nawaz Khan ✓ Councillor Neghat Khan ✓ Councillor Pavlos Kotsonis 	<ul style="list-style-type: none"> ✓ Councillor Sam Lux ✓ Councillor Sulcan Mahmood ✓ Councillor Farzanna Mahmood ✓ Councillor AJ Matsiko ✓ Councillor David Mellen Councillor Sajid Mohammed ✓ Councillor Fozia Mubashar ✓ Councillor Salma Mumtaz ✓ Councillor Sana Nasir ✓ Councillor Devontay Okure ✓ Councillor Nayab Patel ✓ Councillor Georgia Power ✓ Councillor Shuguftah Quddoos ✓ Councillor Ethan Radford ✓ Councillor Nick Raine ✓ Councillor Eunice Regan Councillor Sarita-Marie Rehman-Wall ✓ Councillor Samina Riaz ✓ Councillor Andrew Rule Councillor Naim Salim ✓ Councillor Michael Savage ✓ Councillor Matt Shannon ✓ Councillor Hayley Spain Councillor Maria Watson ✓ Councillor Adele Williams ✓ Councillor Linda Woodings ✓ Councillor Audra Wynter
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✓ Indicates present at meeting

32 Apologies for Absence

Councillor Saj Ahmad - unwell
 Councillor Cheryl Barnard - leave
 Councillor Nadia Farhat – unwell
 Councillor Sam Gardiner – personal
 Councillor Sam Harris – personal
 Councillor Maria Joannou - unwell

Councillor Sajid Mohammed - personal
Councillor Sarita-Marie Rehman-Wall - personal
Councillor Maria Watson - personal

33 Declarations of Interests

None

34 Questions from Citizens

Management of Council gardens

A citizen asked the following question of the Executive Member for Carbon Reduction, Leisure and Culture:

According to the Environmental Protection Agency (EPA), gas-powered lawnmowers can emit as much pollution in one hour as a car driven for 100 miles. These pollutants include carbon monoxide, nitrogen oxides, and volatile organic compounds (VOCs). Also, gardens that are heavily landscaped are bad for the environment. Would the Council consider the way they manage council gardens contributes to global warming, or might they adopt policies, like 'wilding' or using a lawn mower that causes so much damage?

Councillor Sam Lux replied as follows:

Thank you Lord Mayor and thank you to the citizen for your question. The Council's greenspace operations team currently do not have any gas-powered lawnmowers. The majority of our mower fleet is either diesel or petrol powered. However, as part of the Council's delivery of the Carbon Neutral 2028 strategy (CN28) over recent years the service has been moving more towards electric powered machinery whenever this is possible. With regards to the maintenance of our landscape over recent years we have developed a stronger focus on biodiversity and as part of the implementation of new Environment Act Biodiversity Net Gain legislation the service has already identified 65 sites around the city that are now managed as wildflower or meadow grass areas. The majority of these meadows are small sites located around highways verges and within parks. These small sites have been identified in order to provide linkages between a network of 63 Local Wildlife Sites that cover over 690 hectares of the city and include 19 designated Local Nature Reserves & 3 Sites of Special Scientific Interest (SSSI). In addition, our Green Guardians volunteer programme delivers a wide range of environmental education and habitat management projects and has also been at the forefront of delivering the CN28 carbon reduction priority action plan that includes the planting 50,000 trees. 48,000 of these trees have already been planted to date and many more are scheduled to be planted during the coming winter planting season. In addition, the Council will soon consider the adoption of the Greener, Healthier, Happier Greenspace strategy. Once its formal adoption has been confirmed, the greenspace service will continue to work with a wide range of partner organisations within the city to continue to deliver a programme of habitat improvements and the delivery of a continued programme of urban greening projects around the City.

Social Housing

A citizen asked the following question of the Executive Member for Housing and Planning:

How can the Council justify kicking people out of their homes when they pay all their bills and don't cause trouble, and then selling the houses on. It's not their fault that the Council took money from a ring-fenced pot and spent it on something else. Where are they supposed to live when the Council sells these homes?

Councillor Jay Hayes replied as follows:

Thank you Lord Mayor and thank you to the citizen for your question. In 2022 the Council decided to directly manage the council housing stock and this question does not involve any council houses or council tenants. This question relates to Nottingham City Homes Enterprises Limited (NCHEL), which was incorporated in 2015 as a commercial subsidiary of Nottingham City Home Group. It was set up to have a positive impact on the private rented sector in Nottingham. However, due to the financial challenges of the market rent offer provided by NCHEL, the decision had to be made to close NCHEL. The board of NCHEL and NCH Group made a regrettable decision to dispose of its assets to maximise income to make repayments of debt. NCHEL have continued to operate to ensure services are delivered to its market rent tenants, to support them while its properties are sold and NCHEL is ultimately closed. Officers have visited every tenant to explain the reason for this action needing to be taken and offered advice and assistance in securing new rented accommodation. Some tenants have been able to buy their home at market value, stay in their properties with new landlords, or have been supported into other private rental accommodation. While I know this is a challenging time for those residents affected, ongoing support will be offered to all tenants affected in finding new, secure, long-term accommodation. Thank you.

Plant-based food and drink at Council events

A citizen asked the following question of the Executive Member for Carbon Reduction, Leisure and Culture:

The science is clear that meat and dairy are major contributors to the climate and ecological emergencies. Other councils, for example Oxfordshire County, Oxford City, Cambridge City, Exeter City and Calderdale Borough, are ensuring that all food served at internal events is plant-based, and I'd like Nottingham City to do the same. Therefore, given the climate emergency and Nottingham's stated aim to reduce their emissions and be net zero by 2028, will Nottingham City Council ensure that all food and drink provided at internal events is plant-based, as other councils have done?

Councillor Sam Lux replied as follows:

Thank you Lord Mayor, and thanks to the citizen for this question. This is a topic that is really close to my heart, and I have recently had discussions with plant-based councils and our officers to see what can be done on this topic. Our internal catering budget these days is actually really small, given the financial constraints that we are faced with. It's largely just teas and coffees and light refreshments, but I am really happy to say that after discussing with officers at the end of last week, I can confirm now that from Monday 30 September we will only have plant-based internal catering from Nottingham Catering at Loxley House. This will include plant-based milks, biscuits and other foods, and we'll also plan a week of promotion of dairy milk alternatives in October for staff to try plant-based milk in their drinks from the coffee bar at Loxley, substituting for all drinks unless specifically requested otherwise. This

obviously is to encourage our employees to try these alternatives and potentially increase their uptake.

I'd also like to take the opportunity to mention that our Carbon Neutral 2028 action plan includes a list of food-related actions reflecting our awareness of its significant contributions to the city's footprint, particularly the high carbon impact of meat and dairy products. Over the last few years, the Council has introduced more plant-based options in school meal menus – actually winning a national award – and we're also working on increasing plant-based choices in our external catering offers for events like weddings. The City Council became a signatory to the Glasgow Food and Climate Declaration in 2021 and we have an active staff vegan network who promote and campaign for adoption of vegan principles in the Council, not only for food but for animal rights and welfare issues too. We know that the ambition to reduce the city's carbon footprint isn't just about the City Council, it's about what other organisations are doing as well, so we routinely use social media, our monthly carbon-neutral newsletter, and other communications channels to promote the benefits of more plant-based options in everyday diets. As I said, this is an area I really care about, and I encourage citizens and groups to get in touch with ideas about how we can go further as a city. Thanks.

Reopening of Sherwood Library

A citizen asked the following question of the Executive Member for Carbon Reduction, Leisure and Culture:

In a recent newspaper article, the Local Democracy Reporter revealed a total of '134' outstanding defects or snags, which still need to be rectified before the muchdelayed Sherwood Library can safely open. Given this, can the Executive Member outline what urgent actions she has taken with Hockley Developments, including the use of any redemption penalties, to get this contractual debacle resolved in the interests of local residents and families. In the spirit of transparency, can she please provide more details on the nature of the defects, an update on any progress in relation to fixing them, as Sherwood residents like me, are desperate for their local library to re-open.

Councillor Sam Lux replied as follows:

Thank you again, Lord Mayor. I'd like to thank the citizen for the question regarding Sherwood Library as part of the Spondon Street development work taking place. I want to reiterate I am very frustrated around the delay of being able to reopen Sherwood Library and very aware that Sherwood has for a long time now been without a library service following its closure in 2020. It was exciting that through an innovative regeneration scheme approach the authority did find a way in 2021 to ensure its reprovision via a wider Spondon Street retail and housing redevelopment opportunity that was tendered and won by Hockley Developments. Unfortunately, due to several factors this project was delayed and of course more recently delayed further due to a number of outstanding snags identified which were not being rectified by the developer as specified in our contract to enable the library service to be able to commence its final fit-out works. The Council is actively in correspondence with the developer to resolve the outstanding issues, but due to commercial sensitivities and the legally privileged nature of these discussions, it would be inappropriate for me to go into any further detail at this time. I can assure the citizen that the Council are exploring all avenues. On a more positive note, the developer is now engaged

and working with us to resolve the issues. Our Major Projects Team hold fortnightly meetings with the relevant actors to review progress on all of the snags identified. A programme of works has now been agreed and there is an ongoing regular correspondence and contact to check in on progress and this has reduced the list of critical snags considerably, and we hope these final works will be completed over the next three weeks. The final stage of the fit-out works can then take place. We do understand the importance of providing library provision for Sherwood so that it can once again become an important community hub that provides resources, space, and activities that so many in the area have missed since the site's closure. Thank you.

35 Petitions from Councillors on behalf of citizens

Councillor Andrew Rule presented a petition on behalf of residents asking the Council to approve a 20mph speed limit on the road known as New Rise, Lark Hill Village NG11 8DB; and a Red Zone parking restrictions or double yellow lines on the section of New Rise from the right turn before the bus stop (bungalow 421) to bungalow 438.

36 To confirm the minutes of the last Ordinary meeting of Council held on 8 July 2024

The minutes of the Ordinary meeting of Council held on 8 July 2024 were confirmed as an accurate record and signed by the Chair.

37 To confirm the minutes of the Extraordinary meeting of Council held on 5 August 2024

The minutes of the Extraordinary meeting of Council held on 5 August 2024 were confirmed as an accurate record and signed by the Chair.

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

The Chief Executive made the following announcement:

We were proud to officially launch the Green Heart park in the city centre, which represents another important step in the regeneration of the Broad Marsh area, following the opening of Nottingham Central Library, the bus station and car park, and the pedestrianisation of Collin Street. Thank you to our dedicated council teams and partners who have made this happen – as well as the school children from Mellors Primary and the new regional mayor Claire Ward who joined me and the Leader for the opening.

39 Questions from Councillors – to the City Council's Lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority

None

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

Clifton Town Board

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

Could the Executive Member update the Chamber on when the £20 million pledged by the last Government for Clifton will be allocated to the Town Board?

Councillor Ethan Radford replied as follows:

Thank you Lord Mayor and thank you Councillor Clarke for your question. For context, Clifton was selected by the previous government to be the recipient of funding from the Long Term Plan for Towns programme. In consultation with the community, the Council formed the Town Board with Stephen Hackney as Chair to deliver the long-term plan for Clifton by 1 August 2024. On 19 July, the Minister for Local Growth, Alex Norris, took the decision to suspend the first deadline for submitting plans and council officers were advised by officials that the Department will be in touch in due course with further details of the next steps and confirmation of the revised deadline. No such further details have yet been received, but officers remain in dialogue with Ministry for Housing, Communities and Local Government (MHCLG) officials, and recently hosted a visit for the officials with the Clifton Town Board exploring the practice and community engagement. We understand the MHCLG and HM Treasury ministers are giving full consideration to matters, including the Long Term Plan for Towns, as part of preparations for the Autumn budget. However, no timetable has been provided for when the funding position will be clarified. In the meantime, the Council will continue to fully support the work that has been undertaken by the Board and remains committed to seeing this funding used to improve the lives of Clifton people.

Improvement Plan

Councillor Andrew Rule asked the following question of the Leader of the Council: Could the Leader of the Council outline what she believes the biggest challenge will be in delivering the Improvement Plan and how the Council will overcome it?

Councillor Neghat Khan replied as follows:

Thank you Lord Mayor. Can I thank you Councillor Rule for your question. There are many challenges in delivering our Improvement Plan. I have been clear in this Chamber before that the next three years will make or break this Council. It's not going to be easy. The biggest challenge is the pace needed to make these changes. We must improve and we must do so quickly. We need to work swiftly to deliver our services differently and bring our budget back on track, so that we are properly living within our means. I believe we can meet that challenge. New political leadership is helping to drive forward these changes. We have a new Senior Officer Leadership Team, including our new Chief Executive and soon-to-start two Corporate Directors for Adults' and Children's Services. There is renewed focus from this new councillor and officer team to continue to deliver for Nottingham. Together we are working with the Commissioners to deliver our Improvement Plan and we have more than 450 Council officers signed up to be part of our Change Community. The best outcomes for Nottingham come when we work together, and I am proud that so many of our staff are to contribute their ideas and their care to our great city. They want to be part of the solution. Lord Mayor, we can do this only all together: as councillors, as a Council, as a city. We have a lot of hard work ahead of us, but I know we can make this happen and deliver change for the people of Nottingham. Thank you.

Subsidence Risks

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

Following reports in the local media regarding the condition of the former “Brass Monkey” building on High Pavement, could the Executive Member confirm whether the Council has any additional concerns about subsidence affecting any of the other historic buildings on that road?

Councillor Jay Hayes replied as follows:

Thank you Lord-Mayor. Thank you Councillor Clarke for your question. Myself, and I know a few others, over the years have spent many good nights in Brass Monkey, and we are saddened to see the current state of the bar. However, the property is privately owned and it is landlord’s responsibility to address the matters and investigate the cause of the subsidence. Whilst not directly involved, relevant teams of the Council will provide support where appropriate. Currently it only affects that one building, and at the moment there is no evidence of other buildings being affected.

Council Tax

Councillor Andrew Rule asked the following question of the Leader of the Council: The Leader will be aware that the Chancellor’s decision to remove the automatic entitlement for winter fuel allowance has caused some considerable anxiety to those pensioners in the City who be affected by it. Does she share the view of the Labour Leader of the Local Government Association that the Chancellor should, alongside this, scrap the 25% single person’s discount for council tax and remove the cap, the Council is currently subject to, restricting increases in Council tax?

Councillor Neghat Khan replied as follows:

Thank you Lord Mayor. Thank you Councillor Rule for your question. I understand your concerns about the Chancellor’s decision to remove the automatic entitlement to winter fuel allowance. Many older residents in our city are understandably anxious about their energy bills. However, it is important to recognise that this allowance has often benefited wealthier pensioners who may not need the support. Reform is necessary to ensure that assistance is targeted where it is most needed towards low-income pensioners, with an estimated 880,000 households not being on pension credits. This is where our efforts should be focused. I encourage all members to actively work within our communities to ensure pensioners are accessing the benefits they are entitled to, particularly pension credit. It is vital to expand the safety net to include more pensioners who are struggling to make ends meet.

Due to the £22 million black hole in the national finances left by your former Tory Party, Councillor Rule, I understand why the Labour Government is not currently ruling out potentially ending the 25% discount or ending the cap on increases in council tax. I do not share the same view of the Labour Leader of the Local Government Association on scrapping the 25% single person discount and removing the cap because increases could raise revenues. These measures risk disproportionately affecting low-income and single-person households. Blanket changes to council tax would hurt those who can least afford it, especially in a city like Nottingham, which already faces significant financial challenges, compounded by a low council tax base and high levels of student housing, who do not pay council tax but still rely heavily on council services such waste collection, road maintenance, and emergency services. The lack of council tax contribution from students puts

additional strain on our already limited resources. I hope that the Government will explore alternative funding mechanisms to ensure that areas with large student populations are adequately compensated for the services they use without placing further burden on other residents, which can fuel division. What Nottingham needs is a long-term financial settlement, which the Government has promised, and equitable distribution of settlements that reflect the needs of areas like ours where the ability to generate revenue from council tax is limited. If the Government does decide to remove the discount and lift the cap, we will carefully consider the needs of our communities before making any decisions. Our focus will remain on financial stability while ensuring affordability for our residents. Thank you.

Nottingham Forest Football Club

Councillor Kirsty M Jones asked the following question of the Executive Member for Skills, Growth and Economic Development:

Could the Executive Member confirm whether or not the in-principle deal with Nottingham Forest referred to at the last Full Council meeting is dependent on the Club successfully obtaining planning permission from Rushcliffe Borough Council?

Councillor Ethan Radford replied as follows:

Thank you Lord Mayor, and thank you Councillor Jones for your question. The Heads of Terms when disposing of the asset are being finalised between Nottingham Forest Football Club and the Council. The terms of the agreed subject and delegated approval are set out in the Executive Board papers. A recommendation will be made as soon as possible. At this stage the terms of the deal remain commercially confidential. I will refer the member to ask that question to Rushcliffe Borough Council.

Right to Buy

Councillor Anwar Khan asked the following question of the Executive Member for Housing and Planning:

Could the Executive Member explain what new Labour Government's changes to Right To Buy means for the city?

Councillor Jay Hayes replied as follows:

Thank you Lord Mayor, and thank you Councillor Khan for your question. It is true, at this time last year, councillors across the country met to discuss the ongoing homelessness and housing crisis. Since then, the election has happened, and a new Government is in place and has announced a number of changes to tackle the housing crisis and one of these is changes to the Right to Buy scheme. Councils will now be able to use 100% of the Right to Buy Replacement Fund to be able to build houses. This is an increase of 50%. Right to Buy funds can now be matched by Section 106 contributions and the cap on the percentage of replacements delivered as acquisitions each year will be lifted. These changes - in short the maximum spend, equivalent to 150% of the Right to Buy receipts, and other funding that has been generated through other means or from borrowing, to be able to build or replace the council houses lost through Right to Buy. This is good news for Nottingham. Under the previous laws, we would only be able to use 70% of the total of the resources to build or to acquire new housing. Given this, it means we will be able to look at other sites across the city and be able to put in place plans for the development of more council houses for the first time in a long time, and those houses will be funded from the Right to Buy receipts and the s106 contributions.

Alongside this, we have been able to look at increasing our capacity to buy back old council houses through the acquisitions programme. This is good news for everyone in the city because it lets us increase our housing stock, it allows us to tackle the waiting list and the people who are in temporary accommodation, it strengthens our Housing Revenue Account business plan over 30 years, and I'm really looking forward to seeing new council houses built across this city. What a difference this is. This is the Government listening to local authorities; the Government working with local authorities to address real issues that affect everybody across this country, and I am looking forward to working with the Government over the next four or five years. Thank you.

Library Consultation

Councillor Fozia Mubashar asked the following question for the Executive Member for Carbon Reduction, Leisure and Culture:

Could the Executive Member please provide us with an update on the Library Consultation, which closed on 19 August 2024?

Councillor Sam Lux replied as follows:

Thank you Lord Mayor, and thanks to Councillor Mubashar for her question. Firstly, I want to recognise and really emphasise the important roles that libraries play in our communities – access to high-quality local library provision makes a massive difference to so many peoples' lives in a variety of ways, so their impact can't be overstated. Recently we've concluded an extensive 12-week public consultation exercise addressing and receiving feedback on ways which we might be able to better find savings as part of the budget reduction agreed in March. The pressure to change and reduce library provision isn't just a Nottingham issue – it's happening all across the UK; library services are under review as local authorities' expenditure continues to be squeezed. Derbyshire County Council are similarly undergoing consultation on library reductions, as has been Leicester City Council and Birmingham City Council. I can report that at the close of consultation we had received 5,378 official responses. That is incredible and there have also been many additional letters and emails alongside additional information from public meetings and drop-in sessions. I have also met with a number of bodies and organisations including the Save the Libraries Campaign Group and participated, with the Leader and Deputy Leader of the Council, in a public meeting that took place in this Council House on 13 August. In the coming weeks I have meetings set up with organisations to explore creative options and ideas, some of which emerged from the public consultation. It is important that over the next few weeks we carefully review all of the feedback received in order that we are able to bring in a detailed report to Council for the final decision. I think we all agree that given the gravity of the decision we should really seek to get this right and, rather than annual pressures to cut the service, we want to establish strong, sustainable library provision and also maximise the impact of the budget that we do have to benefit communities and citizens in an optimal way. Thank you.

Household Support Fund

Councillor Georgia Power asked the following question of the Executive Member for Finance and Resources:

Can the Executive Member give an update on the extension of the Household Support Fund and what this will mean for Nottingham?

Councillor Linda Woodings replied as follows:

Thank you Lord Mayor, and thank you Councillor Power for your question.

Colleagues, you will recall the Household Support Fund was introduced following the cessation of the £20 per week uplift to universal credit that was brought in during the COVID pandemic and ceased in September of 2021. That was to great protest from members of all parties, including the Conservative Party, who wanted the uplift to continue as a permanent measure. The Household Support Fund was introduced as a less valuable measure to essentially paper over the cracks of a decade of Tory austerity. Now, I should mention, there was a very unnerving period of uncertainty about the future of the Household Support Fund after the former Chancellor, Jeremy Hunt, failed to mention it in his 2023 Autumn Budget Statement, and that uncertainty led to great anxiety for people who received assistance from the scheme and also from the voluntary sector helpers who helped deliver it. However, in March 2024, facing the May elections, an extension was confirmed – albeit only for six months – and that was one clear sign of an early General Election that we all missed.

I can easily explain how essential this grant is to the people of Nottingham, thanks to the Nottingham Financial Resilience Partnership, who commissioned Charles Walker – a Research Fellow at Nottingham Trent University – to evaluate both the need and the effectiveness of the Household Support Fund for Nottingham residents. His final report made in January this year showed that we, as a City Council, received £15.626 million since April 2021, and we use that money firstly to support the supply of food to vulnerable households and secondly to pay for energy and supermarket vouchers to deliver in partnership with our centres, housing associations, and charities. That meant that between June and October 2023 the Council was able to support 64,741 households, and that funding was given to food banks, social supermarkets, and social eating organisations, equating to £235,000 buying essential food and essential items for food banks which is estimated to have supported 11,784 food parcels and meals. I certainly hope we'll get to a stage in this country where we don't have to have food banks. That's one thing we need from a Labour Government: no more food banks because you won't need them because you'll have a decent income. Somewhere else that Household Support Funding was used was supermarkets and fuel vouchers, and that paid for 120,000 vouchers at a cost of £2.9 million. We are uncertain exactly how much the Council will receive in the latest stretch of funding announced by Rachel Reeves for the last 6 months of this financial year up to April 2025, but we anticipate that this will be in region of £3.6 million so we can continue to give this essential support for energy and household bills, food, and essential items for vulnerable residents. That will mean the total Household Support Fund distributed to residents will be over £22 million since October 2021. Whatever the final sum is, we will seek to continue the existing model of support to residents and community-based organisations who provide that essential assistance, and that includes distribution of supermarket vouchers to children who are in receipt of free school meals to cover the October, Christmas, and February holiday periods so the total which we hope to continue with will be £1.4 million to free school meals children's support for holiday periods; £800,000 to food support for vulnerable residents, £800,000 for energy support, £200,000 to food banks funding, £130,000 to our admin and welfare advice two community organisations; and £226,000 in smaller grants and some administrative costs as well. This year's current funds still remain available for residents to apply for up to the 30 September to help with food and energy costs, and our website will be updated as soon as the final details of the scheme are confirmed.

The big question is, of course, will that funding continue after April 2025? We are not sure yet, because our new Labour Government has set up an urgent Child Poverty Taskforce just three weeks ago, and they're urgently reviewing all benefits as well to identify both short-term and long-term measures that are needed to address the national disgrace that 700,000 more children now live in poverty since the last Labour Government in 2010. We'd like to see any support to be over a longer term so more strategic decisions can be made on how such funds are used and we know our partners in the voluntary sector would like that too so they can plan and recruit staff to support beyond a six-month window. Hopefully with multi-year settlements for councils and various reviews of support benefits we will see more sustained ongoing support for these vital services that keep poverty and destitution at bay. Thank you.

Nottingham Centre for Trauma, Resilience and Growth

As Councillor Maria Joannou was not present to ask the following question of the Chair of the Health and Adult Social Care Scrutiny Committee it received a written response:

Could the Committee Chair give an update on the Committee's decision to make a referral to the Secretary of State regarding the loss of the Nottingham Centre for Trauma, Resilience and Growth?

Goose Fair

Councillor Audra Wynter asked the following question of the Executive Member for Carbon Reduction, Leisure and Culture:

Now that the Nottingham Beach has closed for 2024 and with Goose Fair returning for 10 days on 27 September, does the Executive Member agree that providing these types of events is important for Nottingham not just for local families but for the local economy too, and can they detail any steps taken to minimise disruption for those who live near the Goose Fair site?

Councillor Sam Lux replied as follows:

Thank you Lord Mayor and thank you to Councillor Wynter for your question. I'm very proud to be at that stage for the city, and I very much agree with Councillor Wynter that our citywide programme of events, festivals, markets and fairs provides fantastic content for families in the city, right on their doorstep. As Councillor Wynter points out, there's also a wider economic benefit to such events. As the city seeks to deliver ambitions set out in our strategy for vibrant, dynamic, family friendly content in our own centres, heritage venues, open spaces and Castle these play a significant and positive step in how the city markets itself to leisure visitors, prospective students, potential employers and investors. This summer has been one of our busiest ever with events ranging from open-air Shakespeare at the Castle, to packed Tuesday nights at Old Market Square for songs and the Beach. In just the past few weeks alone, our fantastic range of parks, heritage, and public-owned spaces venues have hosted many events. Over 10,000 music fans descended upon Wollaton Park for the hall events, gold medal winning paralympic athletes competed at the archery championships and the Nottingham Beach has seen thousands of families enjoy what is widely considered to be the UK's best free-to-access urban beach attraction. These events are all staged at no cost to the council taxpayer, and any fees and charges contribute to the cost of the Council's free-to-access Culture Development Programme.

All events, not just major impact events like Goose Fair, do unfortunately encompass an element of disruption and the Council's Nottingham Events Team work really hard to minimise the disruption to residents, particularly those living immediately adjacent to the event sites. New mitigation measures are in place for this year's Goose Fair, including a revised traffic management plan, off-street enforcement operations, and various improvements to reduce the environmental impact of the event. This includes regular noise management controls via our Environmental Health Team, and residents living nearby to the events also receive numbers to contact our Events Team control room directly, should any issues arise. Members of the Showman's Guild now also contribute towards a levy to help fund future sites and environmental improvements for the Forest Recreation Grounds as well. Thank you.

Green Heart

Councillor Matt Shannon asked the following question of the Executive Member for Strategic Regeneration, Transport and Communications:

Work is nearing completion on the Green Heart at the former Broadmarsh site, does the Executive Member share my excitement for the work finishing, and do they agree that the Green Heart is only one of the many positive constructions happening in the Broadmarsh area and across the city as a whole?

Councillor Neghat Khan replied as follows:

Thank you Lord Mayor and thank you Councillor Shannon for your question. I'm proud of our Green Heart and what it represents for Nottingham. It shows we are changing our city for the better. Where we once had an ugly concrete shopping centre and three lanes of choking traffic, we now have a peaceful green space for people to enjoy. When INTU Broadmarsh went bust, we asked the people of Nottingham what they wanted to see in this space. They overwhelmingly responded to ask for an open and welcoming space and the return of nature to the heart of the city centre. You asked for a park, and I am pleased to deliver that for Nottingham. This is the first new green space for the city in over 100 years and I was delighted to be joined by children from Mellors Primary School and our Regional Mayor to officially open the Green Heart last week. The Green Heart is a hugely important part of our ambitious plans for Broadmarsh and our wider strategic regeneration of the city, providing opportunities to promote urban living with thousands of new homes and places for people to work in well-connected places with easy access to sustainable transport and green spaces. This is part of our plan for over 26,000 new homes by 2041.

As you say, it is only one of many major developments - improvements to turn previously busy, vehicle-dominated roads into new, high-quality public spaces which invite citizens and visitors to spend time in the city centre; the building of a state-of-the-art bus station, car park, and new Central Library; new Government office at Unity Square; and headquarters for Domestic and General to name just a few of the major schemes that we have supported. This area is unrecognisable from how it looked four years ago. In that short time, we have transformed this part of the city and soon we will have the new state-of-the-art NHS diagnostic centre, along with new homes and more offices. We are turning the city around and making good things happen for the people of Nottingham. It's not just the Green Heart – we are working with partners and investors on ambitious plans for the Island Quarter, East Side, Waterside, and Castle Meadow. I am passionate about delivering the best deal for Nottingham people by championing and working with our communities. Our

ambition is for urban living with thousands of new homes, well-connected offices with easy access to public transport and green spaces. We're putting Nottingham back on the map. We are open for business and investment – a destination city; somewhere that attracts people to live, work, visit, and study. As more news is able to be shared about our redevelopment of the south side of the city with new partners coming on board, I am sure you will see that Nottingham Labour is delivering on a bold vision for Nottingham, its residents, and its future. Thank you.

41 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 July 2024, there had been two 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. Councillor Ethan Radford seconded the report.

Resolved to note that:

- (1) the following decisions 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
5141	Inpatient detox service 'The Level'	Executive Member for Adult Social Care and Health	The new contract had to be signed before the end of June 2024 to ensure there were no gaps in service provision.
5246	Proposed Extension to the Nottingham City Council Public Spaces Protection Order Dane Court	Executive Member for Communities, Waste and Equalities	To enable the PSPO to be extended before the current PSPO expired, which would have involved a lengthy and costly process.

- (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.**

42 Amendments to the Constitution

Councillor Adele Williams, Chair of the Audit Committee, proposed the report recommending that Council approve a revised terms of reference for the Audit Committee. She explained that a review had been carried out to ensure that the terms of reference are in line with CPIFA guidance and good practice and, as a

result, a revised terms of reference was proposed. The draft new terms of reference was considered by the Audit Committee at its meeting on 26 July 2024 and, at that meeting, the Committee agreed to recommend the revised terms of reference to Council for approval. The report was seconded by Councillor Sulcan Mahmood.

Resolved to:

- (1) approve a revised terms of reference for the Audit Committee, as set out in Appendix 1 to the report; and**
- (2) amend Article 9 Non-Executive Functions and Committees of the Constitution to reflect the changes to the Audit Committee Terms of Reference.**

43 Overview and Scrutiny Annual Report 2023/24

Councillor Angela Kandola, Vice Chair of the Corporate Scrutiny Committee, presented the Overview and Scrutiny Annual Report for 2023/24, which summarised the activity carried out by the five scrutiny committees during the previous municipal year, how they fulfilled their terms of reference and the recommendations that they made to the Executive and other partners. The report was seconded by Councillor Georgia Power, Chair of the Health and Adult Social Care Scrutiny Committee.

During discussion the following points were made:

- a) A new scrutiny committee structure was introduced for 2023/24 and this was supported by a period of training and development for scrutiny councillors.
- b) The scrutiny function provides opportunities to look at, and shape policy proposals; review existing policies and services; and reflect on what has been done with the aim of making recommendations for improvement.
- c) It is important to balance holding to account and critical challenge, so that the process and outcomes are constructive. The culture around the operation of scrutiny is important to get right.
- d) During 2023/24 the scrutiny committees undertook important work in relation to budget scrutiny and this will be repeated in 2024/25.
- e) The scrutiny function continued to develop and improve during 2023/24.
- f) The scrutiny function was well-supported, and the Statutory Scrutiny Officer and Scrutiny and Audit Support Officers were thanked for their support to the operation and improvement of the function.
- g) The scrutiny committees benefited from contributions from a wide range of councillors, officers, partners and citizens.

Resolved to accept the Overview and Scrutiny Annual Report for 2023/24.

44 Motion in the name of Councillor Nayab Patel

Councillor Nayab Patel proposed the following motion, which was seconded by Councillor Pavlos Kotsonis:

- (1) Nottingham City Council recognises the necessity of achieving multi-lateral nuclear disarmament and creating a nuclear weapons-free world, and resolves to engage with the government on:

- Continuing to adhere to the Non-Proliferation Treaty terms under Article VI to *'pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control'*
 - Utilising all diplomatic avenues available to it to achieve this. Considering other international treaties that currently exist through the United Nations and whether the government would benefit from supporting them.
- (2) In furtherance of its desire to create a peaceful city, Nottingham City Council also resolves to consider carrying out certain practical actions subject to them being cost neutral, by:
- Appointing an elected member as a Peace Champion to promote peace.
 - Signing up as a member authority of Mayors for Peace.
 - Encouraging local schools to deliver peace education to students.
 - Marking the anniversary of the Hiroshima and Nagasaki atomic bombings.
 - Requesting seeds sourced from Hibaku trees which survived the atomic bombing of Hiroshima to raise as saplings. These can be planted in public parks and places as focal points for reflection and remembrance.

During debate on the motion councillors spoke about matters including:

- a) the importance of peace and that, while the Council does not have direct responsibility in this area it can still be an advocate for peace, for example by supporting asylum seekers and refugees in the City and demonstrating the values of peace
- b) there are lots of activists in the City, and in other cities and countries, signalling the importance of this issue to citizens in Nottingham and across the world.

Resolved to carry the motion.

45 Motion in the name of Councillor Nayab Patel

Councillor Nayab Patel proposed the following motion, which was seconded by Councillor Salma Mumtaz:

Nottingham City Council is deeply concerned about the ongoing conflict in Palestine and Israel which has caused suffering over the last 75 years. Whilst we are aware that as a local authority we have limited or no powers in resolving the conflict we recognise the suffering of civilians on both sides.

We acknowledge the weekly peaceful demonstrations held in the City and we would like to join our communities and other local authorities in calling for an immediate and permanent ceasefire in Gaza with the safe release of hostages.

This Council resolves to:

- continue working with all our communities and partners to raise awareness and challenge all forms of racism, including Islamophobia and Antisemitism;
- collaboratively work with the Nottinghamshire Police and Police and Crime Commissioner to maintain community cohesion and to ensure safety of the Muslim and Jewish communities.

The Council further demands action from the Prime Minister and Foreign Secretary to:

- support the UN General Secretary's call for an immediate ceasefire;
- demand removal of blockages that are hindering delivery of humanitarian aid;
- further increase UK's contribution to provide humanitarian aid for Gaza;
- take steps to ensure that arms and military aid built in the UK is not used in acts that amounts to war crimes under International Law and cease arm sales to Israel;
- bring a resolution to the United Nations Security Council to immediately recognise an independent and viable state of Palestine.

During debate on the motion councillors spoke about matters including:

- a) People are affected on both sides on the conflict.
- b) Local Muslim and Jewish communities in the City are coming together and it is important to support this.
- c) Support for an immediate ceasefire and aid for those who need it.

Resolved to carry the motion.

46 Extraordinary Council Meeting

Resolved to hold an Extraordinary Council meeting on 30 September 2024 at 6pm to consider the East Midlands Combined County Authority (Borrowing) (Amendment) Regulations 2024.

The Meeting concluded at 4.35 pm

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Minutes of the meeting of the City Council (Extraordinary)

held at the Council Chamber, the Council House

on 30 September 2024 from 6.00 pm - 6.18 pm

Attendances:

✓ Councillor Carole McCulloch (Lord Mayor)

✓ 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 L Jones	✓ Councillor Andrew Rule
✓ Councillor Kirsty M Jones	Councillor Naim Salim
Councillor Helen Kalsi	✓ Councillor Michael Savage
✓ Councillor Angela Kandola	Councillor Matt Shannon
Councillor Anwar Khan	✓ Councillor Hayley Spain
✓ Councillor Gul Nawaz Khan	✓ Councillor Maria Watson
✓ Councillor Neghat Khan	Councillor Adele Williams
✓ Councillor Zafran Kan	Councillor Linda Woodings
✓ Councillor Pavlos Kotsonis	✓ Councillor Audra Wynter

✓ Indicates present at meeting

6 Apologies for Absence

Councillor Leslie Ayoola – unwell
 Councillor Nadia Farhat – unwell
 Councillor Sam Gardiner – leave
 Councillor Helen Kalsi – personal
 Councillor AJ Matsiko – unwell
 Councillor Georgia Power – personal
 Councillor Sarita-Marie Rehman-Wall - personal

Councillor Matt Shannon – leave
Councillor Adele Williams – personal
Councillor Linda Woodings - leave

7 Declarations of Interests

None

8 East Midlands Combined Authority (EMCCA) - Approval of Draft Borrowing and Amendment Regulations

Councillor Neghat Khan proposed the report seeking Council's consent to the making of the Combined Authorities (Borrowing) and East Midlands Combined County Authority (Borrowing Functions) (Amendment) Regulations 2024 that will confer certain additional powers, including the general power of competence for economic development and regeneration, and the power to borrow, on the East Midlands County Combined Authority (EMCCA). She highlighted the following information:

- a) The Regulations will bring the powers and functions of the EMCCA in line with the expectations of the original proposal, which Council approved and enable the EMCCA to operate to its optimal potential, which will be of benefit to Nottingham.
- b) It is important that the Council works collaboratively with the other Constituent Councils and the Mayor on matters of economic development and regeneration.
- c) Conferring the general power of competence for economic development and regeneration does not remove it from the Constituent Councils, and each Constituent Council will continue to hold the full general power of competence as outlined in the Localism Act 2011.
- d) The power to borrow will operate in a way that is consistent with other Combined Authorities and local authorities, including the controls placed on local authorities. The EMCCA will be required to have regard to the Prudential Code in the same way as other authorities and a maximum annual borrowing limit will be subject to the agreement of the specific debt cap with His Majesty's Treasury, which cannot be exceeded.
- e) Decisions to utilise the powers will be made by the EMCCA Board, of which the Leader and Deputy Leader of the Council are members.
- f) The delegation to the Chief Executive to make the final approval requires this to be done in consultation with the Leader of the Council and in light of further legal advice.

The report was seconded by Councillor Ethan Radford.

During the subsequent debate the following points were made:

- g) There is a need to be mindful that different areas will have different and distinct visions and priorities for economic development. These could be a risk to Nottingham and it is important to ensure that Nottingham's vision and priorities are clearly articulated and incorporated so that Nottingham gets what it needs.
- h) The East Midlands region has historically been left behind on economic development and regeneration and it is important that this work now moves at pace.

- i) There should be a communications strategy both at an EMCCA level and at a local authority level so that Nottingham citizens understand who makes decisions, what decisions they are making and what those decisions mean for the City.
- j) While transport provision within the City is good, there are challenges for people travelling into the City and also for City residents travelling to other areas for work. Improved transport links to other areas of Nottinghamshire and Derbyshire will help boost economic development.

Resolved to:

- (1) consent to the proposed content of the Combined Authorities (Borrowing) and East Midlands Combined County Authority (Borrowing Functions) (Amendment) Regulations 2024 as described in the report, including the conferral of a general power of competence in respect of economic development and regeneration functions, as required by relevant enabling legislation, including the Levelling Up and Regeneration Act 2023; and**
- (1) delegate to the Chief Executive authority to consent on behalf of Nottingham City Council to the making of the Combined Authorities (Borrowing) and East Midlands Combined County Authority (Borrowing Functions) (Amendment) Regulations 2024 including the approval of any additional technical amendments, which the Chief Executives of the other three Constituent Councils and the Mayor of the East Midlands Combined County Authority also agree to. This delegation is to be exercised in consultation with Leader of the Council and in light of further legal advice from the Director of Legal and Governance.**

The Meeting concluded at 6.18 pm

City Council – 11 November 2024

Report of the Leader of the Council

Corporate Director/ Director

Beth Brown, Director of Legal and Governance

Report Author and Contact Details

Jane Garrard, Interim Head of Governance

jane.garrard@nottinghamcity.gov.uk

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 September 2024. During that period there have been no 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 that no decisions have been taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) of the Constitution since the last report to Council.

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 any 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 any 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 decisions being made takes place at the time the decisions are taken and informs the decision making process that is followed.

6. Best Value Considerations

6.1 Decisions are 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 September 2024, there have been no decisions taken under these urgency provisions.

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 decisions are published as part of those decisions.

10. **Legal colleague comments**

10.1 Comments from Legal colleagues in relation to decisions are published as part 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 decisions are published as part of those decisions.

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

13.1 Where applicable, details of the social value considerations of decisions are published as part of those decisions.

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

14.1 Where applicable, regard given to the NHS Constitution in decisions is published as part 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 are published alongside decisions taken.

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 decisions is assessed and, where appropriate, details are published as part 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 decisions is assessed and, where appropriate, details are published as part 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

Councillor Neghat Khan
Leader of the Council

City Council - 11 November 2024

Report of the Chair of Audit Committee

Corporate Director/ Director:

Ross Brown, Corporate Director for Finance and Resources

Report Author and Contact Details:

Kate Morris, Scrutiny and Audit Support Officer

kate.morris@nottinghamcity.gov.uk

Title: Audit Committee Annual Report 2023/24

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 This report summarises the work undertaken by the Audit Committee over the municipal year 2023/24, explains how the Committee has filled its designated role within the Constitution and how this work relates to its core responsibilities. The report set out in Appendix 1 was approved by Audit Committee at its meeting on 27 September 2024.

2. Recommendations

- 2.1 To note the work undertaken by the Audit Committee during 2023/24.
- 2.2 To accept the Audit Committee Annual Report 2023/24 as set out at Appendix 1.

3. Reasons for recommendations

- 3.1 Full Council has delegated to Audit Committee the role of ensuring that there is sufficient assurance over governance, risk and control. Audit Committee is accountable to Council for this role in accordance with Article 9 of the Constitution, and in compliance with CIPFA guidance on reporting Audit Committee performance.

The report set out at Appendix 1 reflects the work undertaken by the Audit Committee in 2023/24 to fulfil its delegated role.

3.2 The work undertaken by Audit Committee throughout the year supports its assessment of the internal control and risk environment. This informs the Committee's consideration and approval of the statutory Statement of Accounts and Annual Governance Statement.

4. **Other options considered in making recommendations**

4.1 None. The report is required as set out in the Constitution.

5. **Consideration of Risk**

5.1 The Audit Committee Annual Report set out in Appendix 1 does not present any proposals, therefore there are no risks or mitigations for consideration.

5.2 The purpose of the Audit Committee, as set out in the Terms of Reference that were active for the period the report covers, includes:

- providing independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment;
- providing independent review of the Council's governance, risk management and control frameworks; and
- considering related assurances.

5.3 The main risk of an ineffective Audit Committee is that it may not address weaknesses in its governance, risk, and control arrangements at an early stage leading to a weakened control environment and missing early warning signs of vulnerabilities. This report offers assurance to the Council that the Audit Committee is fulfilling its function, and works toward mitigating those risks.

6. **Best Value Considerations**

6.1 The recommendations set out in this report do not include financial implications for the Council.

6.2 An effective Audit Committee contributes to corporate best value through its focus on improvements to the internal control environment, arrangements for managing risk and ethical governance.

6.3 The Audit Committee is committed to improving its efficiency and the report in Appendix 1 sets out the initial steps in self-assessment and the development and introduction of an improvement plan which will continue to be progressed through 2024/25 and 2025/26.

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

7.1 The Committee is a key component of corporate governance with CIPFA guidance for audit committees stating that:

"Their purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. The committee's role in ensuring that there is sufficient assurance over governance, risk and control gives greater confidence to all those charged with governance that those arrangements are effective.....The committee has oversight of both internal and external audit together

with the financial and governance reports, helping to ensure that there are adequate arrangements in place for both internal challenge and public accountability.”

Meaning that taking actions towards this purpose helps fulfil the statutory obligations of the Council under the Accounts and Audit Regulations 2015 and section 151 of the Local Government Act 1972 and supports compliance with the Local Audit and Accountability Act 2014.

- 7.2 Good governance maintains and increases public confidence in the objectivity and fairness of financial and other reporting, and service planning, delivery, and improvement. It is important that local authorities have independent assurance about the mechanisms underpinning these aspects of governance.
- 7.3 An effective Audit Committee both supports and challenges, and in doing so helps to raise the profile and effectiveness of internal control, risk management and financial reporting within the Council and should enhance public trust and confidence in the governance of the Council.
- 7.4 In order to demonstrate the effectiveness of the Committee and develop public trust, the Chair has produced this annual report in respect of its activities in 2023/24. It aims to develop the Council’s commitment to improving corporate governance.
- 7.5 The report at Appendix 1 summarises the work undertaken by the Committee during 2023/ 24 and uses its Terms of Reference to demonstrate how it met its objectives and responsibilities. The report recognises the positive contributions of councillors and colleagues in the deliberations of the Committee and the positive effect the Committee has had on the Council’s governance arrangements. It also comments on the Committee’s independence, training and development, and plans for the future.

8. **Commissioner comments**

- 8.1 Commissioners have noted the report and approved.

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

- 9.1 This report summarises the work undertaken by the Audit Committee over the municipal year 2023/24. Work undertaken by the Audit Committee does not incur any additional cost. Expenditure relating to councillors is funded from their annual budget allocations within Governance Services. There is no financial implication as a result of this work.

Alfred Ansong, Strategic Finance Business Partner 15/10/2024

10. **Legal colleague comments**

- 10.1 This report is a summary of the work undertaken by the Audit Committee. The Audit Committee reports annually to Full Council on the work it has undertaken during the previous financial year in accordance with the requirements of the Council’s Constitution.

Beth Brow, Director of Legal and Governance, 21 October 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 no proposals are made in this report and no equalities or diversity issues arise from the 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 no proposals are made in this report and no personal data has been used in preparing the 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 no proposals are made in this report.

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 Audit Committee – September 2024 – add minute details when published.

19.2 Article 9 – Non-Executive Functions and Committees, Nottingham City Council Constitution

19.3 Audit Committee – Practical Guidance for Local Authorities and Police 2022 (CIPFA)

19.4 Delivering Good Governance in Local Government 2016 (CIPFA)

19.5 Accounts and Audit Regulations 2015

19.6 Section 151 of the Local Government Act 1972

19.7 Local Audit and Accountability Act 2014

Councillor Adele Williams
Chair of Audit Committee

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Audit Committee Annual Report 2023/24

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Appendix A – Analysis of Audit Committee Work Programme

Appendix B – List of Reports to Audit Committee by Date

Foreword by the Chair

I am pleased to provide the Audit Committee's Annual Report for the municipal year 2023/2024. Council is requested to take note of the work conducted by the Audit Committee in improving and enhancing the governance arrangements throughout the Council.

The report illustrates how the Audit Committee makes a positive contribution to the Council's governance, risk and control environments. These cover aspects such as internal control; risk management; internal audit; anti-fraud; external audit; and financial reporting and assurance over improvement programmes.



The Committee is supported by officers through reports, presentations, and briefings, and makes recommendations for officers to take on suggestions to ensure the benefits of this Committee are passed onto our citizens through improvements to the governance, risk and control environment.

I would like to thank Councillor Samuel Gardiner for chairing the Committee during 2023/24 and his Vice Chair, Councillor Sulcan Mahmood, and the Internal Audit and the External Audit teams for their input. I should also like to thank all the officers, and all fellow Committee members who have contributed to, and supported the work of the Committee throughout the past year challenging officers to ensure our governance, risk, and control processes are effective, open, and transparent. Special thanks also go to Shail Shah for his years of dedication and support as Head of Internal Audit and Risk, the committee wishes him well in retirement.

Key highlights of the Committee's work in 2023/24 included

- Regular reports on improved controls around exemption from Financial Regulations resulting in a significant reduction in exemptions requested and subsequently approved.
- The approval and initial work on the Audit Committee Improvement Plan, including a self-assessment session, and Committee Member Skills and Knowledge review in line with CIPFA best practice
- Progress towards production of Financial Statements and in the statutory audit
- Reports from theme leads on progress, governance, risk and control in the Together for Nottingham Plan and in Improvement and Assurance Board requirements
- Regular oversight of the work following the S151 Officers S114 report and activity to build improvement in financial controls
- Improvement plans and progress resulting from Limited Assurance Internal Audit Reports and external assurance provider reports
- Agreed in Principle for the implementation of an external independent member joining the Audit Committee.
- Worked with Officers to introduce of accountability with the Financial Improvement Plan

For 2024/25, as Audit Committee Chair, I look forward to continuing to support the Council by ensuring that the Committee:

- focuses on self-improvement, driving actions within the Audit Committee Improvement Plan, following best practice, and is proactive and forward thinking
- continues to recognise issues that require its focus, prioritising the most significant corporate risks and issues

- seeks to gain assurance and challenge weaknesses in governance, risk management, and control
- seeks assurance that work on the Nottingham City Improvement Plan advances at pace and the frameworks in which it operates are robust.

The Purpose and Aims of Audit Committees

The Audit Committee operates in accordance with the “Audit Committees, Practical Guidance for Local Authorities” produced by the Chartered Institute of Public Finance and Accountancy (CIPFA) in 2022. The Guidance suggests the purpose of an Audit Committee as follows:

1. To provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. Its role in ensuring there is sufficient assurance over governance, risk and control gives greater confidence to the Council that those arrangements are effective.
2. The committee has oversight of both internal and external audit, together with the financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.

Good governance is ultimately the responsibility of those charged with governance, as well as those with leadership roles and statutory responsibilities in the organisation, including the Chief Executive, Corporate Directors, the Chief Financial Officer and the Monitoring Officer. The Audit Committee plays a key role in supporting the discharge of those responsibilities by providing a high-level focus on audit, assurance and risk management and financial reporting.

In summary, the committee’s role is to challenge, assess and gather assurance from within the Council and from external agencies, on the level and quality of the internal control and risk management processes in place to ensure that Council objectives are met. As part of this role it approves Audit Plans, the Statement of Accounts, and Annual Governance Statement and monitors the robustness of performance management systems. The benefits gained from operating an effective committee are that it:

- contributes to the development of an effective control environment including arrangements for management of risk;
- increases stakeholder confidence in the objectivity and fairness of financial and other reporting by promoting transparency and accountability;
- reinforces the importance and independence of internal and external audit and any other similar review process (e.g. providing a view on the AGS) and the implementation of audit recommendations;
- advises on the adequacy of the assurance framework and considers whether assurance is deployed efficiently and effectively to give assurance that Council objectives are met;
- helps the authority to implement the values of ethical governance, including effective arrangements for countering risks of fraud and corruption

Terms of Reference

The Terms of Reference were reviewed as required by the Report in the Public Interest. As part of the work towards the Audit Committee Improvement Plan addition work as initiated a to bring the committee Terms of Reference into line with the new CIPFA guidance, issued in 2022. This review got underway towards the end of 2023/24 following the approval of the Audit Committee Improvement Plan in March 2024 and the committee will endorse the new terms of reference to Full Council as part of the 2024/25 Work Programme.

Membership

The Audit Committee was made up of 9 non-executive councillors appointed to reflect the political balance of the Council.

The members of the committee for the municipal year 2023/2024 were:
Councillor Samuel Gardiner – Labour (Chair)

Councillor Sulcan Mahmood – Labour (Vice Chair)
Councillor Graham Chapman – Labour (to December 2023)
Councillor Michael Edwards – Labour
Councillor AJ Matsiko – Labour
Councillor Naim Salim – Labour
Councillor Eunice Regan – Labour (from February 2024)
Councillor Andrew Rule – Independent Group
Councillor Adele Williams – Labour
Vacancy – Labour

Work Undertaken

Throughout 2023/24 the work of the committee has continued to be impacted by a range of significant events:

- the Improvement & Assurance Board Statement of Requirements and Statutory Directions,
- The report made under Section 114(2) of the Local Government and Finance Act 1988 issued by the Chief Financial Officer regarding unlawful transactions connected to the Housing Revenue Account in December 2021
- External Review of Housing Financial Management issued 2022/23
- External Auditors report in the Public Interest, and the Non statutory review by Max Caller commissioned by the Secretary of State, both issued in 2020/21.
- The report made under part VIII s.114(3) of the Local Government Finance Act 1988 issued by the Chief Financial Officer in November 2023
- Appointment of Commissioners in 2023/24

The committee has continued to seek assurances from across the Council's improvement plan and to understand progress of work in relation to, and seek assurance around, financial controls through regular progress updates on financial statement audits and completion, and also on the Finance Improvement Plan.

Appendix A sets out how the reports received through 2023/24 have fulfilled the purpose and objectives of the committee throughout the year, with regular reports monitoring the progress of the Financial Improvement Plan and the progress on the outstanding Statements of Accounts and External Audit reports with Appendix B setting out the reports received by the committee by month. The Audit Committee Work Programme reflects the many subject areas and sources of information that the committee considers in its deliberations about corporate governance. The information assimilated allows members of the committee to understand governance issues and determine their opinion about the overall state of corporate governance in the Council.

Reports on the following areas were considered by the committee during the year:

- The Together for Nottingham Plan and the directions issued by the Improvement and Assurance Board including:
 - Asset Management
 - Companies Governance
 - Corporate Governance
 - Corporate Planning
 - Finance
- Statements of Accounts
 - External Audit updates and the Value for Money report
 - Chief Finance Officer updates and statement progress monitoring
- Financial Management

- Control over Procurement Exemptions
- Financial Controls Assessment and the Financial Improvement Plan
- Treasury Management
- Accounting Policies
- Annual Investment Strategy Revision 2023/24
- Annual Assurance Reports
 - HR and Equality, Diversity and Inclusion
 - Information Compliance and Information Security
 - Complaints & Local Government Ombudsman Annual Letter
 - East Midlands Shared Services Annual Report
- Responding to assurance concerns
 - Contract Management and Procurement
 - HR and Payroll
 - Appointeeship
 - Expenses
 - Physical and Environmental Security
- Risk Management and Corporate Risk and Assurance Register
- Internal Audit
- Audit Committee Improvement, Annual Work Programme & Performance

Impact

The recommendation tracker was introduced in late 2022 to ensure that actions and recommendations made by the committee were considered by leadership and senior officers and responded to appropriately. In 2023/24 the committee made a number of recommendations that added value and made an impact across the Council with the following recommendations in particular, supporting improvement:

At the June 2023 meeting the Committee referred the Equality, Diversity and Inclusion Strategy to the Overview and Scrutiny function highlighting the need for additional work. The strategy was subsequently taken through the scrutiny process and a new EDI strategy is being implemented in Autumn 2024.

At the June 2023 meeting the committee recommended that a CIPFA Self-Assessment on the Audit Committee was undertaken. This was completed in early 2024 and led to the production of the Audit Committee Improvement plan designed to ensure efficiency and that the committee supports and adds value to the improvement journey.

At the February 2024 meeting the committee requested a refinement to the Capital Strategy, Annex C, Section 4 to better set out which Service Investments in the Register of Service Investment table have been impaired by the Council leading to a more accessible report for Councillors and for the public, improving transparency and accountability within the Council.

Independence

The key criteria in assessing the independence of the committee are that its members are non-executives, and their conduct on the committee is independent of political allegiances. Councillors have sought advice from legal and governance officers to achieve this requirement and have made declarations or have left the meeting where a conflict of interest was apparent, as is appropriate. We accept the observations of the external auditor about the conflicts of interest that arise when councillors act as directors on council owned companies and the Council's Constitution now precludes Directors of any of the Council's Group of companies being a member of the Audit Committee. The Audit Committee terms of reference

allows for 2 independent members. The opposition member has an open invite to join any chair of audit briefings and any pre-meetings the committee holds.

Training & Development

Training has been provided to committee members during the year on:

- Constitution eLearning
- Risk management (Zurich July 2023)
- Treasury Management (Link Asset Management July 2023)

Looking Forward

Looking forward into 2024/25 the Audit Committee will:

- Confirm its reviewed terms of reference
- seek to strengthen its membership establishing a comprehensive member training schedule
- continue to self-assess its knowledge and skills via an annual CIPFA Self Assessment
- seek assurance on the implementation of the Improvement Plan
- monitor progress in bringing the Council's external audits up to date and ensuring future external audit cycles progress smoothly and on time
- monitor progress on the Financial Improvement Programme
- seek assurance that a corporate assurance framework is owned and managed by the executive and senior management, is fit for purpose and incorporates mapped controls with regular monitoring and appropriate escalation
- seek assurance that the ethical governance framework for councillors and officers is effective
- have oversight of the Corporate Risk Register and associated management assurance frameworks including examination of key risks as needed
- provide challenge to the executive and senior officers to encourage implementation of improvements and delivering best value

Conclusion

I am of the opinion that the Committee has been compliant with the CIPFA Position Statement: Audit Committees in Local Authorities and Police 2022, with some clearly identified areas for development, captured within the Audit Committee Improvement Plan. The committee has carried out its role effectively during 2023/24 and will continue to proactively seek assurances required to ensure good governance. The committee has considered a wide range of reports and sought assurance on a significant range of corporate priorities. The committee has remained agile in its work programming and responded to both corporate pressures as they have evolved and external factors. The audit committee has retained its independent and will challenge the executive members and senior officers where necessary. The recommendations arising from the committee are taken seriously and the recommendation tracker continues to be a vital tool of the committee going forward ensuring timely action where necessary. The committee is committed to fulfilling its objective and continuing its improvement journey 2024/25.

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Appendix A - Analysis of Audit Committee Work Programme

Description	Report	Meeting 2023/24
Purposes:		
a. The Audit Committee is a key component of Nottingham City Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.	Annual Audit Committee Report, Audit Committee Improvement Plan	September, March
b. Provide independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment.	External Audit reports, Annual Audit Committee Report, Annual Governance Statement updates and process (AGS) reports	July, September, November, February, March
c. Provide independent review of the Council's governance, risk management and control frameworks.	AGS, Risk Management & External Audit (EA) reports	July, September, November, February, March
d. Oversee the financial reporting and annual governance processes.	Statement of Accounts updates, Accounting Policies & AGS updates and process reports	June, July, September, November, February, March
e. Oversee internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.	Annual IA Plan and updates & EA Updates	July, September, November, February, March
f. Consider assurance of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment including emphasis on: <ul style="list-style-type: none"> • Governance risks around high level financial strategy and reserves • Governance risks connected to asset realisation • Governance of Capital Programme and projects • Value for Money and Delivering Objectives • Governance of linked incorporated bodies 	Statement of Accounts updates, EA Updates, TFN and IAB, Ombudsman, Companies, Assurance & Corporate Risk reports	June, July, September, November, February, March

Description	Report	Meeting 2023/24
g. Oversee proposed and actual changes to the Council's policies and procedures pertaining to governance.	TFN and IAB, Companies Governance, Financial Controls Assessment, Financial Improvement Plan Update Interim AGS & Governance Updates connected to Action Plans	June, July, September, November, February, March
Objectives:		
Governance, Risk & Control		
a. Review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.	Annual Governance Statement	There were no AGS published during 2023/24 as no financial statements were drafted or finalised during the year. Multiple AGS reports should be brought in 2024/24
b. Review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account Internal Audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.	Annual Governance Statement	
c. Consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.	Value for Money Report 2019-2023	March
d. Consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.	Assurance Reports (H&S, ITG, Complaints, HR)	June, November, March
e. Receive and consider the results of reports from external inspectors, Ombudsman and similar bodies and from statutory officers.	TFN and IAB, Complaints & LG Ombudsman,	June, July, November, February,
f. Monitor the effective development and operation of risk management in the Council.	Risk Management Reports	November

Description	Report	Meeting 2023/24
g. Monitor progress in addressing risk-related issues reported to the committee.	TFN and IAB, Ofsted, Risk Management Updates, External Audit updates, Financial Controls Assessment, Financial improvement Plan update,	June, July, September, November, February, March
h. Consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.	IA Progress Updates & Service presentations	June, September, November, February
i. Review the assessment of fraud risks and potential harm to the Council from fraud and corruption.	VFM report	March
j. Monitor the counter fraud strategy, actions and resources.	VFM Report	March
k. Review the governance and assurance arrangements for significant partnerships or collaborations, including the Partnership Governance Framework, annual health checks and the Register of Significant Partnerships.	East Midlands Shared Services Annual Report, IAB – Companies,	June, March
l. Commission work from internal and external audit.		Not applicable in 2023/24
m. Consider arrangements for and the merits of operating quality assurance and performance management processes.	Customer Experience, EMSS, IAB – Corporate Planning	November, March
n. Consider the exercise of officers' statutory responsibilities and of functions delegated to officers.	Annual Assurance reports Treasury Management reports,	July, November, February, March
o. Effectively scrutinise, review and monitor treasury management strategies and policies in accordance with guidance issued to local authorities, and make appropriate recommendations to the responsible body.	TM 2022/23 Annual Report, TM Strategy and Capital Strategy, TM Half-Yearly update	July, November, February
p. Consider any appeals made by an employee against decisions made by the Appointments and Conditions of Service Committee relating to a grievance made against the Chief Executive. Members involved in considering these will not be able to participate in any further consideration of the matter at other committees.		Not applicable in 2023/24
Financial Reporting		

Description	Report	Meeting 2023/24
q. Review the Annual Statement of Accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.	Statement of Accounts updates Review of Accounting Policies 2023/24	June, July, September, November, February, March
r. Consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.	Value for Money 2019-23	March
s. Approve the Council's Statement of Accounts and associated governance and accounting policy documents	Review of Accounting Policies 2023/24	February
External Audit		
t. Support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.	Retender of External Audit for 2023/24 to 2027/28	Reported November 2021
u. Consider the external auditor's annual letter, relevant reports and the report to those charged with governance.	VFM report	March
v. Consider specific reports as agreed with the external auditor.	Financial Controls Assessment	June
w. Comment on the scope and depth of external audit work and to ensure it gives value for money.	External Audit reports	July, September, February, March
x. Advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.	Annual Audit Committee Report	September
Internal Audit		
y. Undertake the duties of the Board mandated by PSIAS as identified in Appendix 2.	PSIAS duties are listed below	
z. Consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services, and the head of internal audit's annual report.	IA Progress and No Assurance Reports	September, February
aa. Consider summaries of specific internal audit reports as requested.	IA No Assurance Reports	September, February

Description	Report	Meeting 2023/24
PSIAS Duty of the Board		
1000 Approve the Internal Audit Charter	IA Progress Updates	February (confirms charter remains in place)
1110 Approve the risk-based internal audit plan, including internal audit's resource requirements, including any significant changes, the approach to using other sources of assurance and any work required to place reliance upon those other sources.	Internal Audit Progress Update	September
1110 Approve decisions relating to the appointment and removal of the Chief Audit Executive		Not applicable for 2023/24
1110 Receive an annual confirmation from the Chief Audit Executive with regard to the organisational independence of the internal audit activity		
1110 Make appropriate enquiries of the management and the Chief Audit Executive to determine whether there are inappropriate scope or resource limitations	Internal Audit Progress updates	September, February
1110 The Chair to provide feedback for the Chief Audit Executive's performance appraisal	Annual Audit Committee Report	September
1111 Provide free and unfettered access to the Audit Committee Chair for the head of internal audit, including the opportunity for a private meeting with the committee.		Informal meetings throughout the year
1112 Consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.		Not applicable for 2023/24
1130 Approve significant additional consulting services agreed during the year and not already included in the audit plan, before the engagement is accepted	Internal Audit Progress Update	September, November
1312 Contribute to the QAIP and in particular, to oversee the external quality assessment of internal audit that takes place at least once every five years.	Internal Audit Progress Update	September
1320 Receive the results of the Quality Assurance and Improvement Programme from the Chief Audit Executive	Internal Audit Progress Update	September
2020 & 2030 Receive communications from the Chief Audit Executive on internal audit's audit plan and resource requirements including the approach to using other sources of assurance, the impact of any resource limitations and other matters	Internal Audit Progress Update	September, February

Description	Report	Meeting 2023/24
2060 Receive communications from the Chief Audit Executive on the internal audit activity's purpose, authority, responsibility and performance relative to its plan. Reporting must also include significant risk exposures and control issues, including fraud risks, governance issues and other matters needed or requested by senior management and the board.	Internal Audit Progress Update	September
2600 Receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.	Internal Audit Progress Report	September, February

Appendix B – List of Reports to Audit Committee by Date

30 June 2023

- Financial Controls Assessment
- Monitoring of Statement of Accounts and Financial Improvement Plan
- HR and EDI Annual Assurance Report
- Together for Nottingham – Asset Management
- Together for Nottingham – Companies update
- Exemptions from Contract Procedure rules Q4 2022/23
- Work Programme
- Recommendation Tracker

28 July 2023

- Statement of Accounts Update
- Financial Improvement Plan Update
- External Auditors update
- Treasury Management 2022/23 Annual Report
- Annual Investment Strategy 2023/24 Revision
- Improvement and Assurance Board Instructions – Governance
- Work Programme
- Recommendation Tracker

29 September 2023

- Statement of Accounts Update
- Financial Improvement Plan Update
- External Auditor update
- Internal Audit Q2 2023/24
- Internal Audit – No Assurance reports
- Audit Committee Annual Report 2022/23
- Work Programme
- Recommendation Tracker

24 November 2023

- Statement of Accounts Update
- Financial Improvement Plan Update
- External Auditor update
- Treasury Management Half Year report 2023/24
- Improvement and Assurance Board Instruction – Corporate Planning
- Improvement and Assurance Board Instructions – Companies Update
- Contract Management and Procurement Audit Reports
- Complaints Annual Assurance Report 2022/23
- Corporate Risk Register Update
- Work Programme
- Recommendation Tracker

23 February 2024

- Statement of Accounts Update
- Financial Improvement Plan Update

23 February 2024 (cont.)

- External Auditor update
- Internal Audit, including Limited Assurance and High Priority Recommendations
- Internal Audit – No Assurance reports and updates
- Improvement and Assurance Board Instructions – Finance
- Treasury Management Strategy and Capital Strategy
- Review of Accounting Policies 2023/24
- Work Programme
- Recommendation Tracker

22 March 2024

- Statement of Accounts Update
- Financial Improvement Plan Update
- 2019/20, 2020/21, 2021/22, 2022/23 Value for Money report
- Annual Governance Statement: Process for 2023/24 and previous years update.
- Annual Information Compliance and Information Security Assurance Report
- East Midlands Shared Services Annual Report 2022/23
- Audit Committee Improvement Plan
- Work Programme
- Recommendation Tracker

City Council – 11 November 2024

Report of the Chair of the 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 Nottingham City Council 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 This report seeks approval to adopt a new Statement of Gambling Policy for the City of Nottingham. A copy of the draft Statement of Gambling Policy 2025-2028 (the Statement) is attached at Appendix 1.
- 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 Gambling Act 2005 (the Act) and approved guidance issued by the Gambling Commission under the Act.
- 1.3 The report also gives Council the opportunity to renew the "No Casino" resolution should it wish to do so and which will otherwise cease to have effect in January 2025.

2. Recommendations

- 2.1 Having regard to the principles/matters identified in both the Introduction and Appendix 2 of the draft Policy, resolve to renew Council's previous "No Casino" resolution pursuant to S166 of the Act so, that with effect from 31 January 2025, no casino licences will be issued within the administrative area of the City of Nottingham.
- 2.2 To adopt the Statement of Gambling Policy as set out at Appendix 1.
- 2.3 To authorise the Director of Communities, Environment and Resident Services to comply with the relevant statutory requirements in respect of the advertisement and publication of the Statement, and should Council not agree to renew the No Casino resolution to make the appropriate amendments to the policy deleting reference to that matter before publication.

3. Reasons for recommendations

- 3.1 It is a statutory requirement that the Council, as a Licensing Authority, adopt a new Statement of Gambling Policy relating to gambling to come into effect from 31 January 2025.

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 Gambling Act 2005 (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.

7.4 A consultation draft Statement was approved by Full Council on 8 July 2024 and was released for consultation between 12 July 2024 and 6 September 2024, inclusive.

7.5 Consultation took place with responsible authorities, local/national businesses and the general public. A copy of the consultation document was made available in local libraries and was also made available on the Nottingham City Council website throughout the consultation period. Four responses were received and a summary of them is attached at Appendix 3, including the officer assessment and any amendment subsequently made to the Policy as a result.

7.6 The Licensing Committee was also consulted on the draft Policy on 4 June 2024 as the Committee responsible for applying the Policy on individual contested applications. The Committee supported the proposed “renewal” of the previous “No Casino” resolution. The Council has had such a resolution in place since Part 8 of the Gambling Act came into force in May 2007 and previously renewed the resolution in 2010-13, 2013-2016, 2016-2019, 2019-2022, 2022-2025 policies. Due to the requirements of section 116 of the Act the existing resolution will lapse in January 2025 unless renewed by Council.

7.7 Section 175 of the Act places a statutory limit on the number of new Casino Licences which can be granted nationally. It also states that the Secretary of State shall specify which Authorities may issue such licences and prohibits applications for new licenses being made to other Authorities. As this Authority did not bid for one of the new licences applicants will, therefore, be 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.

8. **Commissioner comments**

8.1 Commissioners have noted the report and approved.

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.

9.2 The cost of delivering the gambling regime itself is expected to be recovered from the application fees that have been set within the statutory fee limits.

Susan Turner - Senior Commercial Business Partner

10. Legal colleague comments

10.1 It is a statutory requirement that a Statement of Gambling Policy be approved by Full Council to take effect from 31 January 2025. Consultation on the draft policy appears to have taken place in accordance with statutory requirements. As outlined in the main body of the report the Council's previous "No Casino" resolution will expire in January 2025 unless renewed and the matters to which Councillors could have regard are outlined in paragraphs 7.6 - 7.7 above and appendix 2 of the draft Policy.

Sarah Mills Senior Solicitor, Legal Services

11. Equality Impact Assessment (EIA)

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

Yes

The equality impact assessment is attached as Appendix 4.

12. Data Protection Impact Assessment (DPIA)

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

No

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?

No

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. Please see the link below to access the strategy.

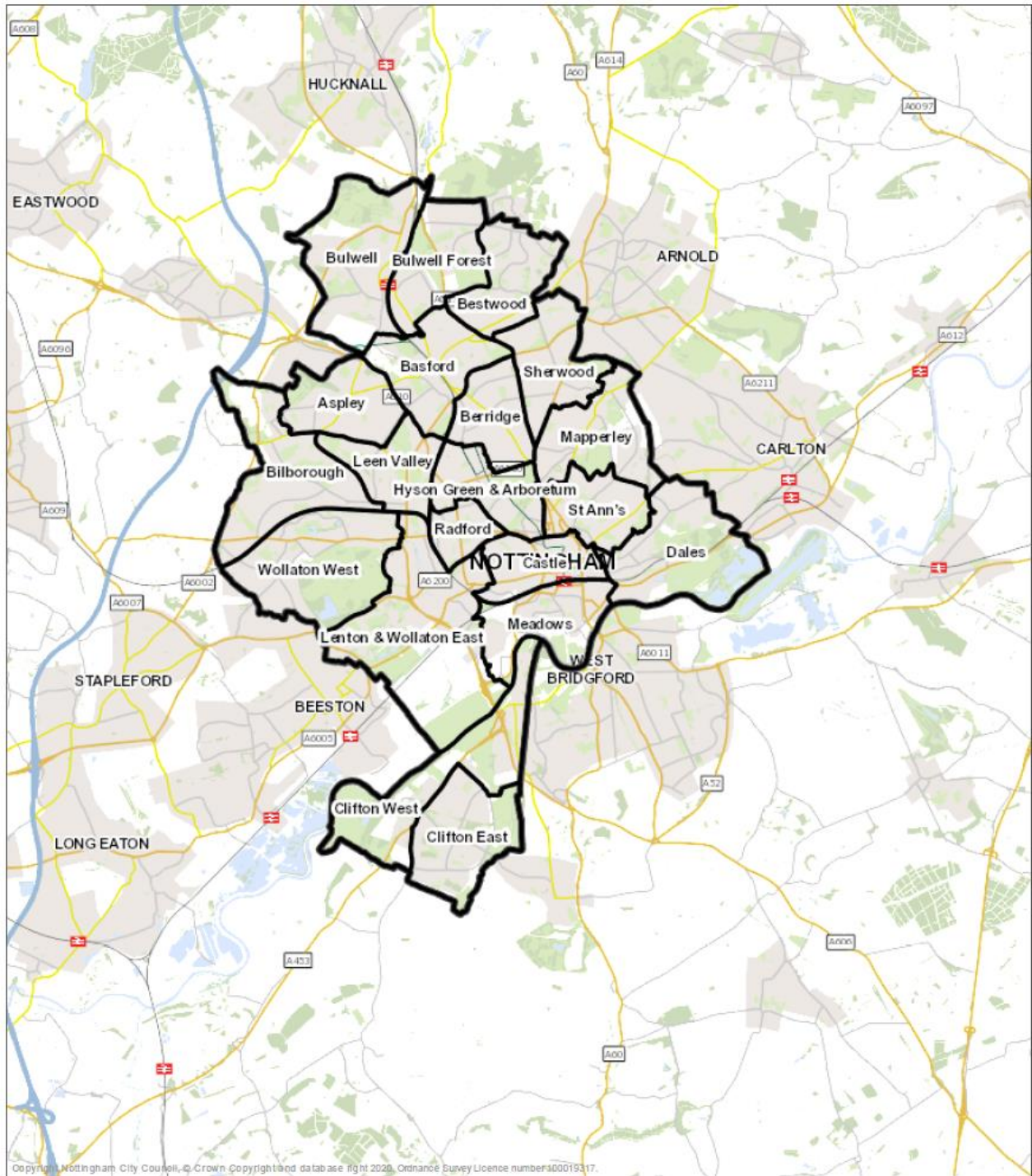
<https://committee.nottinghamcity.gov.uk/documents/s149171/Enc.%201%20for%20Gambling%20related%20harm%20strategy%202023-2028.pdf>

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.

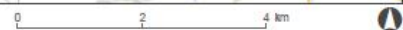
The Council recognises the impact that unregulated gambling may have on its community and sustainability as a viable local economy and in delivering the gambling regime will, with regard to the principles set out in this Policy, seek to support its local economy and protect the health and wellbeing of 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 reference 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 being harmed or exploited by gambling. 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
- 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.

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. Bingo premises may sell alcohol if authorised by a Premises licence and are also entitled to have the same gaming machines as Adult Gaming Centres.
- 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 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.

**STATEMENT OF GAMBLING POLICY 2025-2028
QUICK REFERENCE LIST OF RESPONDENTS**

Ref No	Date Rec'd	Name of Organisation
1	24.07.2024	Pollyanna Hopkins, GamCare
2	29.08.2024	Richard Taylor, Gosschalks Solicitors on Behalf of Betting Gaming Council (BGC)
3	07.08.2024	Elizabeth Speed, Novomatik UK
4	07.08.2024	Dominic Underwood, Policy and Scrutiny Officer, Office Nottinghamshire Police Crime Commissioner

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No comments were made to sections: 4,6,7,10,11,12,13,14,16,17, Appendix 1 and 2. Those in blue below are commented against

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Preface

- 1 Introduction and General Description Nottingham
Map of the City and Wider Conurbation

2 The Licensing Objectives

3 Consultation on the Policy

- 4 The Functions of the Licensing Authority

5 Statement of Principles

- 6 Responsible Authorities

- 7 Interested Parties

- 8 Local Standards Relevant to Gambling matters

8a Premises Licences and Provisional Grants

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9a Betting

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- 10 Notifications

10a Temporary Use Notice

10b Occasional Use Notice

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11a Premises licensed to sell alcohol

11b Club Gaming Permits and Club Machine Permits

11c Prize Gaming Permits

11d FEC's

11e Small Society Lotteries

11f Travelling Fairs

- 12 Exchange of and Access to Information
- 13 Fees
- 14 Delegations
- 15 Inspection and Enforcement**
- 16 Monitoring and Review of this Statement

Appendix 1 Persons Consulted

Appendix 2 'No Casino' resolution with supporting reasons

Section 5 – Statement of Principals

Ref No.	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
3 Page 100	5.22	<i>"Not accurate to state that harm in the context of applications is not limited to gambling related harm but includes wider adult and child safeguarding considerations. S1c of the Act makes clear that the licensing objective in question is "to protect children and other vulnerable people from being harmed or exploited by gambling." It would be wrong to expect policies to extend beyond that context. We strongly recommend that the wording is amended as it clearly conflicts with the legislation."</i>	The policies and procedures that applicants have in place should support the licensing objective to protect children and other vulnerable people from being harmed or exploited by gambling. There is no provision in the Act to go to any further extent.	Deleted sentence stating <i>"Harm in this context is not limited to gambling related harm but includes wider child and adult safeguarding considerations"</i> .
3	5.22 7 th Bullet Point	<i>"There are clear guidelines imposed on operators about free bets and</i>	Acceptable comment and the Gambling Policy amended to that affect.	Deleted bullet point 7 to reflect the comments made by Novomatik UK.

		<i>bonuses which the Gambling Commission views as acceptable subject to those parameters”</i>		
3	5.31 – last two bullet points and penultimate	<i>“Demand is not relevant to an application and cannot be considered when assessing an application. We suggest a statement to that effect is included.”</i> <i>“note that Bingo premises can be licensed for alcohol.”</i>	Acceptable comments and the Gambling Policy amended to that affect.	Amended paragraph 5.31 and deleted the final two bullet points to reflect the comments made by Novomatik UK.
4	5.21 – 5.22	<i>“The policy briefly mentions protecting children and vulnerable people (5.21 and 5.22) but lacks specific support measures or partnerships with relevant organisations which can help respond to and support these groups.”</i>	No amendment to the Gambling Policy is required here in respect of this comment as it is a statement to explain ‘vulnerable people’ and it would not be the Licensing Authorities responsibility to put in place support measures or reference particular organisations to help support this group of people. The link to the city councils overall gambling strategy is included in the policy to reflect this and where support services can be located within the introduction of the policy.	No change required
4	5.9	<i>“The policy mentions the potential development of a Local Area Profile (LAP) in the future but does not provide detailed guidance or an existing profile. LAP can help tailor policies and measures to specific community needs. Westminster City Council provides a detailed and comprehensive LAP which accompanies their public</i>	At present, no plans for a Local Area Profile with the lack of sufficient evidence to support one. Further work is being continued with public health and other partners to evaluate how we have access to evidence to support a future LAP when our policy is next reviewed The number of premises licence’s issued under the Gambling Act in Nottingham City and surrounding areas is 51.	No change required

		<i>gambling policy which can be found here - Local Area Profile for gambling risk Westminster City Council.</i>		
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Section 1 – Preface

Ref No.	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority’s Appraisal of Comments	Authority’s Response with regard to Statement of Policy
2	Promotion of three licensing objectives	The statement should be reconsidered and redrafted to remove the statement of the promotion of the licensing objectives as this “central” to Licensing Act 2003 application and not Gambling Act 2005 applications.	Acceptable comments and the Gambling Policy amended to that affect.	Amended paragraph 2 to reflect the comments made by Gosschalks Solicitors on Behalf of Betting Gaming Council (BGC). The word reference has replaced the word regard.

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8c Representations

Ref No.	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority’s Appraisal of Comments	Authority’s Response with regard to Statement of Policy
3	8.12	<i>“The statement should be reconsidered and redrafted to remove the statement of the promotion of the licensing objectives as this “central” to Licensing Act 2003 application and not Gambling Act 2005 applications.”</i>	Any objection made must be based upon one of the Gambling objectives and these are set out at the start of the policy.	No change required.

9d Bingo

Ref No.	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
3	9.22	<i>"We note that bingo premises can have an alcohol licence and that they also are entitled to the same machines as AGCs. We suggest that is referenced."</i>	Acceptable comments and the Gambling Policy amended to that affect.	Amended paragraph 9.22 to reflect the comments made by Novomatik UK.

Section 15 Inspection and Enforcement

Ref No.	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
4 Page 103	Not specifically referred to but may relate to 15.5-15.7	<p><u>Compliance auditing outcomes.</u></p> <p><i>"While the policy details the role of maintaining and auditing compliance with the Act and where necessary to take enforcement action should the Act be breached, little detail is provided as to what enforcement activity could follow.</i></p> <p><i>The risk-based approach in auditing compliance is grounded in strong rational but it is key to ensure this is followed with clear procedures as to how non-compliance is dealt with and responded to."</i></p>	<p>The enforcement activity to follow would depend on the offence taken. Our Licensing Enforcement Officers carry out routine inspections to check conditions adhered to, notices displayed and anything not as it should be, would be highlighted to the operator with a further visit to check that any issues have been rectified.</p> <p>Test purchasing is carried out by operators themselves and the information shared with both the Licensing Authority & Gambling Commission of outcomes from these tests.</p>	No change required.

Miscellaneous Comments

Ref No.	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
1	No particular reference – referring to “Public Health” Approach	For the Authority to commit in its statement of principles to a public health approach.	Public Health have been consulted with throughout the process of renewing the Gambling Policy, but Public Health are currently not a responsible authority under the Gambling Act 2005. If this changes in the future our Gambling Policy will be amended to reflect this.	No change required.
3	None Specified context may be applied to sections 1,2 or 4 Regulators Code	That the policy does not refer to the Regulators Code which the GA 05 Act is subject to.	This is referred to in paragraph 15.4 of the Statement of Gambling Policy.	No change required.
Page 105	None Specified – may be applied to Appendix 1, section 3, 6 or 7	<p>Engagement and consultation activity – should detail how the policy has been informed by partner organisations.</p> <p>Regular Engagement Process to be reflective of all and local landscape.</p> <p>Detailed engagement prospects to be built into the policy with identified vulnerable groups to reflect risks and the needs of these groups.</p>	<p>There has been a full consultation process, the consultation responses will be referred to Full Council.</p> <p>As already detailed The link to the city councils overall gambling strategy is included in the policy to reflect this and where support services can be located within the introduction of the policy.</p> <p>There is an ongoing Gambling related harm core group in existence, and this is chaired by Public Health. The Licensing Authority remain a key contributor to the group.</p>	No change required.

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Equality Impact Assessment (EIA) Tool

Please ensure you have read the [guidance pages](#) prior to completing this tool

Document Control

Control Details:	
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Name	Title role	Date
Nasreen Miah	Equality and Employability Consultant	03/10/2024, 08/10/2024, 25/10/2024

Glossary of Terms

Term	Description
RA	Responsible Authorities
FEC	Family Entertainment Centre
GC	Gambling Commission
AGC	Adult Gaming Centre
LAP	Local Area Profile
UK	United Kingdom

Section 1 – Equality Impact

(NCC staff/ Service users/ Citizen/ Community impact)

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

Nottingham City Council currently has in place a Statement of Gambling Policy that will lapse on the 31 January 2025. It is a requirement under the Gambling Act 2005 for Licensing Authorities to have in place a Statement of Gambling Policy.

The link to the Gambling Act 2005 is <https://www.legislation.gov.uk/ukpga/2005/19/contents>

The policy statement acts as the main vehicle for setting out the Licensing authorities approach to regulation. It aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. Full details on how the Statement of Gambling Policy helps the community is embedded within the policy itself.

The licensing objectives are set out in the Act and are:

- 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.

A statutory consultation has taken place between the dates of 12 July 2024 to the 06 September 2024 to enable consultation responses to be generated and received to the draft Statement of Gambling Policy in public circulation. The consultation was circulated on all of the council platforms, on the consultation hub, on our own website pages, we wrote to all of the responsible authorities, with all responses sent back to our general licensing inbox. All consultation responses have been collated and the response to them provided. It is in Appendix 3 that has additionally been provided.

The purpose of the Statement of Gambling Policy is to promote Nottingham as a safe and healthy environment in which responsible operators and premises provide lawful and responsible facilities for the enjoyment of the City's residents and visitors. The policy will next be reviewed during 2027 for implementation in January 2028. The policy could however be reviewed at any point should there be a change in legislation or any major updated guidance. This EIA will be updated to reflect any changes, should they occur.

1. b. Information used to analyse the equalities implications

The proposed Statement of Licensing Policy will be presented to the Full Council for approval. Consultation has taken place with:

- the chief officer of police for the area; Nottinghamshire Polices Chief Constable as that is the only chief officer for the purpose of this policy.
- 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 This is all operators, personal and premise licence holders of any type of gambling activity that is being conducted within the city boundaries.
- 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. This can be any member of the public, resident, business, legal firms, even if they are not located in the proximity of where the activity is being conducted.

The results of the consultation will be bought back to Full Council in November 2024 for a decision to be made to adopt the draft Statement of Licensing Policy to ensure that the Licensing Authority continues to comply with the Gambling Act 2005. The summary of the consultation has been attached with the EIA for assessment. The Equality Impact Assessment will be updated at the next point of renewing the policy in 2027 or before should it be necessary with any major changes in legislation or guidance.

1. c. Who will be affected and how?

Equality group/ individual	Impact type	Positive	Negative	None
People from different ethnic groups	<input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	Having conducted a full consultation process over an 8 week period, between 13 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process. The Gambling Act 2005 has Three licensing objectives <ul style="list-style-type: none"> • 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 The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators			

	<p>of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
<p>Details of mitigation/ actions taken to advance equality</p>	<p>There are no negative impacts on any group with protected characteristics.</p> <p>The proposed Statement of Gambling Policy is inclusive and will effect all; regardless of any protected characteristics or not that wish to apply for a new premises licence in the Nottingham City Council area.</p>			
<p>Details of any arrangements for future monitoring of equality impact (Including any action plans)</p>	<p>Should a decision be made by Full Council to agree that the draft Statement of Gambling Policy be implemented it will remain in place from the 31 January 2025 to 31 January 2028. However, the Policy can be reviewed at any time during this period should there be a need to do so.</p> <p>The Equality Impact Assessment will be updated at the next point of renewal of the policy in 2027 or before should it be necessary with any major changes in legislation or guidance.</p>			
Equality group/ individual	Impact type	Positive	Negative	None
Men	<input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Reasons for your assessment (Including evidence)</p>	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 			

	<p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
<p>Details of mitigation/ actions taken to advance equality</p>	<p>There are no negative impacts on any group with protected characteristics.</p> <p>The proposed Statement of Gambling Policy is inclusive and will effect all; regardless of any protected characteristics or not that wish to apply for a new premises licence in the Nottingham City Council area.</p>			
<p>Details of any arrangements for future monitoring of equality impact (Including any action plans)</p>	<p>Should a decision be made by Full Council to agree that the draft Statement of Gambling Policy be implemented it will remain in place from the 31 January 2025 to 31 January 2028. However, the Policy can be reviewed at any time during this period should there be a need to do so.</p> <p>The Equality Impact Assessment will be updated at the next point of renewal of the policy in 2027 or before should it be necessary with any major changes in legislation or guidance.</p>			
<p>Equality group/ individual</p>	<p>Impact type</p>	<p>Positive</p>	<p>Negative</p>	<p>None</p>
<p>Women</p>	<p><input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>Reasons for your assessment (Including evidence)</p>	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 			

	<p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
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<p>Equality group/ individual</p>	<p>Impact type</p>	<p>Positive</p>	<p>Negative</p>	<p>None</p>
<p>Trans</p>	<p><input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>Reasons for your assessment (Including evidence)</p>	<p>Having conducted a full consultation process over an 8 week period, between 13 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 			

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Equality group/ individual	Impact type	Positive	Negative	None
<p>Disabled people/ Carers</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Reasons for your assessment (Including evidence)</p>	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> prevention of gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime 			

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Equality group/ individual	Impact type	Positive	Negative	None
<p>Pregnancy and maternity</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Reasons for your assessment (Including evidence)</p>	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p>			

	<ul style="list-style-type: none"> • 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 <p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
<p>Details of mitigation/ actions taken to advance equality</p>	<p>There are no negative impacts on any group with protected characteristics.</p> <p>The proposed Statement of Gambling Policy is inclusive and will effect all; regardless of any protected characteristics or not that wish to apply for a new premises licence in the Nottingham City Council area.</p>			
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Equality group/ individual	Impact type	Positive	Negative	None
<p>Marriage/ Civil Partnership</p>	<ul style="list-style-type: none"> ☒ NCC staff ☒ Service users ☒ Citizens ☒ Community 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>Reasons for your assessment (Including evidence)</p>	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 <p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
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Equality group/ individual	Impact type	Positive	Negative	None
<p>People of different faiths/ beliefs and those with none</p>	<p><input checked="" type="checkbox"/> NCC staff</p> <p><input checked="" type="checkbox"/> Service users</p> <p><input checked="" type="checkbox"/> Citizens</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>

	<input checked="" type="checkbox"/> Community			
Reasons for your assessment (Including evidence)	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 <p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
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Equality group/ individual	Impact type	Positive	Negative	None
Lesbian/ Gay/ Bisexual people	<input checked="" type="checkbox"/> NCC staff	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community			
Reasons for your assessment (Including evidence)	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 <p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
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Equality group/ individual	Impact type	Positive	Negative	None

<p>Older</p>	<input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Reasons for your assessment (Including evidence)</p>	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 <p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
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Equality group/ individual	Impact type	Positive	Negative	None
Younger	<input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community	□	□	☒
Reasons for your assessment (Including evidence)	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 <p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
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Equality group/ individual	Impact type	Positive	Negative	None
Care Experience (Please refer to the guidance notes for further information)	<input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 <p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			
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Equality group/ individual	Impact type	Positive	Negative	None
Other (E.g. Cohesion/ good relations, vulnerable children/ adults), socio- economic background (e.g. financial vulnerable)	<input checked="" type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input checked="" type="checkbox"/> Citizens <input checked="" type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	<p>Having conducted a full consultation process over an 8 week period, between 12 July 2024 and 06 September 2024, no impacts or benefits have been highlighted during this process.</p> <p>The Gambling Act 2005 has Three licensing objectives</p> <ul style="list-style-type: none"> • 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 <p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises. This policy statement aims to ensure that no individuals within this specified group will be negatively impacted with the adoption of the statutory Statement of Gambling policy, it outlines how we can regulate activity so it is conducted in a safe and fair way for all groups and that activities will only be available to those who are old enough to participate in the activity taking place meaning that children and vulnerable people will be protected as operators and ensure premises are regulated to strict rules and regulations outlined in the policy itself.</p>			

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

<p>Not applicable</p>

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 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
<p>Eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Equality Act 2010.</p>	<p>None required for this statutory policy</p>	<p>Nick Burns</p>	<p>October 2027</p>	
<p>Advance equality of opportunity between those who share a protected characteristic and those who don't</p>	<p>None required for this statutory policy</p>	<p>Nick Burns</p>	<p>October 2027</p>	

Foster good relations between those who share a protected characteristic and those who don't	None required for this statutory policy	Nick Burns	October 2027	
(Please add other equality outcomes as required – e.g., mitigate adverse impact identified for people with a disability)	None required for this statutory policy	Nick Burns	October 2027	

Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/> No major change needed	<input type="checkbox"/> Adjust the policy/proposal
<input type="checkbox"/> Adverse impact but continue	<input type="checkbox"/> Stop and remove the policy/proposal

Please note: All actions will need to be uploaded onto Pentana

Section 3 – Approval and publishing

<p>The assessment must be approved by the manager responsible for the service /proposal.</p> <p>Approving Director details Colin Wilderspin, Strategic Director of Communities</p> <p>Approving Director Signature:</p> 	<p>Date sent for advice:</p> <p>23/10/2024</p>
<p>Author Signature:</p> 	<p>23/10/2024</p>

Equality Team Signature: Nasreen Miah	Date of final approval: 25/10/2024

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

PLEASE NOTE: FINAL VERSION MUST BE SENT TO EQUALITIES OTHERWISE RECORDS WILL REMAIN INCOMPLETE.

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