

LICENSING COMMITTEE – 04 JUNE 2024

Title of paper:	Consideration of Draft Statement of Gambling Policy	
Director(s)/ Corporate Director(s):	Mary Lester Strategic Director – Operational and Resident Services	Wards affected:ALL
Report author(s) and contact details:	Nick Burns Nick.burns@nottinghamcity.gov.uk	
Other colleagues who have provided input:	Sarah Mills Sarah.mills@nottinghamcity.gov.uk	
Date of consultation with Portfolio Holder(s) (if relevant)	N/A	
Does this report contain any information that is exempt from publication? No		
Relevant Council Plan 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"/>	
Summary of issues (including benefits to citizens/service users): As a Licensing Authority for the purposes of the Gambling Act 2005, the Council is required to produce and publish a Statement of Gambling Policy (the Statement). A new policy is required to come into force for the three-year period commencing 31 st January 2025 and is required to go through a consultation process prior to its adoption. The proposed draft Statement is attached to this report for approval prior to it being submitted to Full Council on 8 July 2024 for release for public consultation. Details of the method of consultation are set out in the report.		
Recommendation(s):		
1	That the draft Statement of Gambling Policy at Appendix 1 be noted and open to the Committee for comments.	

1. Reasons for recommendations

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

2. Other options considered in making recommendations

2.1 None, it is a statutory requirement.

3. **Consideration of Risk**

3.1 It is a statutory requirement of the authority to publish a Statement of Gambling Policy.

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

4.1 The Council is a 'Licensing Authority' for the purpose of the Act and is required to produce and publish a Statement of Gambling Policy. A new policy is required to come into force for the three-year period commencing 31st January 2025.

4.2 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.

4.3 The purpose of the Statement is to inform individuals making applications for licences, of the Authority's standards and values in promoting the licensing objectives within the framework of the Act and approved guidance issued by the Gambling Commission under the Act. It sets out the Authority's approach to regulation having taken into account local circumstances.

4.4 Before determining any amendment to its Gambling Policy, the Licensing Authority must consult with:

- The chief officer of the 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.

4.5 Proposed amendments consist of:

- Retention or disposal of 'No Casino Resolution'
- Demographic update
- Legislative update and administrative amendments

4.6 It is proposed that consultation on the proposed amendments should last for a period of 8 weeks, commencing Friday 12th July 2025 and concluding at midnight on Friday 6th September 2025.

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

5.1 The fees levied for the Gambling policy are intended to include any costs from the review of the Statement of Gambling Policy. The costs delivering the gambling regime itself are recovered from application fees that have been set within the statutory fee limits. The decision seeks to start the consultation period and therefore there is no perceived impact on the Medium Term Financial Plan.

6. **Legal colleague comments**

- 6.1 As indicated in the body of the report, the policy is required to undergo a statutory consultation and this report therefore commences the formal process towards adoption of the statement. The Statement can only be approved and adopted by Full Council and will need to be approved at its July meeting in order to comply with statutory timescales.

Sarah Mills, Senior Solicitor for Planning Environmental and Leisure Team 15/05/2024

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

- 7.1 An EIA is being requested and will be taken into consideration when the final policy is decided, considering any amendments arising from the consultation.

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

- 8.1 A DPIA is not required because this is a statutory requirement and the policy does not have sensitive information within the policy.

9. **Carbon Impact Assessment (CIA)**

- 9.1 A CIA is not required because this is a statutory requirement and the policy does not have a carbon impact.

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

- 10.1 None

11. **Published documents referred to in this report**

- 11.1 Gambling Act 2005
Guidance to Licensing Authorities April 2021 last updated April 2023