

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2139
Author:	Angela Rawson
Department:	Communities
Contact:	Angela Rawson (Job Title: Licensing Manager, Email: angela.rawson@nottinghamcity.gov.uk , Phone: 01158761749)
Subject:	Review of Statement of Gambling Policy 2016-2019
Total Value:	NIL (Type: Nil)
Decision Being Taken:	<ol style="list-style-type: none">1) Recommend to Council that the Draft Statement of Licensing Policy 2016-2019 be released for consultation2) Recommend Council to consider whether the 'No Casino Resolution' should be renewed and confirm whether this should form part of the consultation
Reasons for the Decision(s)	<p>The Council is under a Statutory Duty to adopt a new Statement of Gambling Policy to come into effect on 31 January 2016 and is under a duty to consult on the proposed Policy.</p> <p>It is proposed that the outcome of the consultation process and any revisions made to the draft policy as a result are reported to Council at its meeting in November 2015 and that the Policy be formally adopted at that meeting.</p>
Other Options Considered:	Not to recommend to Council that the Draft Statement of Licensing Policy 2016-2019 be released for consultation. This option was discounted as the policy is a statutory requirement.
Background Papers:	

Published Works:

Draft Statement of Gambling Policy 2016-2019
Gambling Act 2005
Guidance to Licensing Authorities, 4th Edition, September 2014
Guidance to Licensing Authorities, 5th Edition - consultative draft

Affected Wards:

Citywide

Colleague / Councillor Interests:

Consultations:

Date: 23/06/2015
Ward Councillors: Nicola Heaton
The Chief Licensing, Trading Standards and ASB Officer at NCC (Richard Antcliffe) has consulted Councillor Nicola Heaton regarding the statutory requirement.
Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

formalising the standards and principles by which the licensing of gambling functions will operate.
addressing crime and disorder issues arising out of, associated with, and supported by gambling
addressing issues surrounding the effect of licensed premises on the public realm in terms of gambling
protecting children and vulnerable persons from being harmed or exploited by gambling

Equality:

EIA not required. Reasons: The decision does not relate to new or changing policies, services or functions.

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

26/08/2015

Advice Sought:

Legal, Finance

Legal Advice:

The draft Statement of Gambling Policy 2016-19 has been the subject of legal advice to check its conformity with the relevant legislation and Guidance. Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) the production of the Policy is not the sole function of the Executive. The final Policy can only be approved by full Council and will need to be approved at the November meeting in order to comply with statutory timescales. The Council has the power to consider whether to renew its previous "No Casino" resolution which has effectively been in force since May 2007 but which will lapse with the existing Policy. If such a resolution were to be passed it would not affect the 6 premises which were already licensed as Casinos before the Gambling Act 2005 came into force. Section 175 of the Gambling Act 2005 places a statutory limit on the number of new casino licenses which can be granted nationally and the Secretary of State is required to specify which Authorities may issue those licences. Nottingham is not specified as an Authority which can grant such licenses and therefore no applications for new casino licenses could be made in any event. However, the Council can still pass a " no casino " resolution if it feels it appropriate and necessary and some possible principles to which the Council could have regard in doing so are outlined in Appendix 2 of the Draft Statement of Policy. Advice provided by Ann Barrett (Team Leader) on 06/07/2015.

Finance Advice:

There are no financial considerations or implications for the purposes of this report

Advice provided by Michelle Pullen (Senior Accounts Assistant) on 01/07/2015.

Signatures

Jon Collins (Leader of the Council)

SIGNED and Dated: 04/08/2015

John Kelly (Corporate Director Community Services)

SIGNED and Dated: 29/07/2015