

GENERAL PURPOSES COMMITTEE

11 NOVEMBER 2021

REVIEW OF STATEMENT OF GAMBLING POLICY – CONSULTEES RESPONSE

1.0 Purpose of Report

1.1 For the Committee to review the consultation feedback and to recommend the Council's Statement of Gambling Policy for adoption by full Council.

2.0 Information

2.1 Members will recall that the Council, as Licensing Authority under the Gambling Act 2005, is responsible for issuing premises licences for gambling premises, issuing permits in respect of gaming on licensed premises and for registering small society lotteries.

2.1 The Council only licences premises on which gambling is carried out, it does not licence the operators or the individuals concerned in carrying the business. These are licensed by the Gambling Commission and subject to stringent statutory controls.

2.2 In respect of carrying out its duties the Council is required to adopt and have in place a Statement of Policy relating to them. The Policy sets out the principles which the Council will apply in considering and granting those licences and permits. The original Policy was adopted in December 2006. The Act requires that the Policy be reviewed as required and at least every three years, hence the need to review the Policy this year.

2.3 Members will also recall that the draft policy was presented to them before the consultation was begun. The draft Policy was prepared based on the Council's experience with the administration of the Gambling Act and changes in law and guidance since its inception.

2.4 In the interests of keeping costs to a minimum all those notified were directed to the Council's website rather than sending out a large number of copies. Printed copies were made available on request.

3.0 Casinos

3.1 The Secretary of State has powers under Section 175(4) of the Gambling Act 2005 to determine the geographical distribution of casino premises licences. The Act set out an overall limit nationally of no more than one regional casino, eight large casinos and eight small casinos. In 2005 Local Authorities with an interest in hosting a casino were asked to indicate their interest and to take part in a selection process. A local licensing authority is only able to award a casino premises licence if one has been identified for its area.

3.2 In adopting its original Statement of Gambling Policy in 2006 the Council considered a resolution under section 166 of the Gambling Act 2005 that it would not issue any premises licence for casinos in the district. This had the effect of removing Newark & Sherwood from entering the selection process and therefore it would not be considered as a local authority that could host a casino.

- 3.3 The no casino resolution on the Gambling Act 2005 was agreed and confirmed for a further three years following the review of the Statement of Gambling Policy in 2018.
- 3.4 The passing of a 'no casino' resolution can be seen as a statement of principle that casino operations are not considered appropriate for the district.
- 3.5 Not making a 'no casino' resolution can be seen to indicate that the authority is willing to consider casino operations in the district, however, on a practical level this is unlikely to be in the short term as all future casino operations have been allocated to other districts and a change in the law would be required to permit any additional casino numbers or the transfer of locations.

4.0 Response to the Consultation

- 4.1 The draft Policy was circulated for consultation during the summer for a period of 6 weeks. Only a small number of responses have been received.
- 4.2 The level of response would seem to be indicative of the low level of general concern with this particular licensing function. This is the 5th time that the Policy has been reviewed and on both occasions there have been minimal responses. All of the Nottinghamshire authorities have reported the same low levels of comment.
- 4.3 The responses are set out in **Appendix 1** with any suggested amendments to the Policy. There have been no substantial changes made as a result of the consultation responses. A copy of the Policy is attached as **Appendix 2**.
- 4.4 Once agreed by this Committee the Policy will have to be considered by full Council for approval and adoption in accordance with the Gambling Act 2005.

5.0 RECOMMENDATIONS that:

- (a) the Committee consider the consultee responses and that the draft Statement of Gambling Policy be supported and forwarded to the full Council for approval; and**
- (b) the Committee consider whether the resolution not to issue any licence for casinos in the district should be renewed by full Council and make a recommendation on this issue.**

Background Papers

Gambling Act 2005
Guidance to Licensing Authorities - Gambling Commission

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