

LICENSING COMMITTEE: 5th July 2006

Report of the Chief Strategic Planning and Environment Officer

GAMBLING ACT 2005 – CASINO APPLICATIONS.

1. Background

- 1.1 As previously reported to the Committee the Gambling Act 2005 has now received Royal Assent and when implemented, will replace most existing gambling law.
- 1.2 The Major Projects Directorate had responsibility for submitting an application to government requesting that the regional casino be established in the Sports Village, Cardiff Bay, Cardiff. To assist them to apply they sought an indication from the Committee of how it might approach such an application. At its meeting of 7 March 2006 Committee considered a presentation made by the Major Projects Team and subsequently resolved that in principle it would give favourable consideration to an application for a licence for a Regional Casino in the Sports Village location subject to the application being properly drafted and submitted in line with future statutory guidance, and being compliant with the Statement of Licensing Policy.

2. Current Developments.

- 2.1 The Department of Culture Media and Sport (DCMS) established a Casino Advisory Panel to assist in assessing and determining suitable locations for the new casinos. The Advisory Panel's task is to recommend to the Secretary of State for Culture, Media and Sport the areas where the one regional casino and eight large and eight small casinos would best be located. The primary criterion, as laid down by the Secretary of State is:

“to ensure that locations satisfy the need for the best possible test of social impact (which may require a range of locations of different kinds such as seaside resorts, edge of town developments or inner city centres)”

Subject to that, the Secretary of State has also asked the Panel;

- a) to include areas in need of regeneration (as measured by unemployment and other social deprivation data) and which are likely to benefit in these terms from a new casino;
 - b) to ensure that those areas selected are willing to license a new casino.
- 2.2 The Casino Advisory Panel announced on 4 April 2006 that 68 Local Authorities had submitted formal proposals to be considered by the Panel for one of the 17 new casino locations (1 regional, 8 large and 8 small) as detailed below:

Regional (27)

Blackpool; Brent; Cardiff; Chesterfield; Coventry; Dartford; Dudley; Glasgow; Great Yarmouth; Greenwich; Havering; Hull; Ipswich; Leeds; Manchester; Middlesbrough; Midlothian; Newcastle; Newport; Sheffield; Solihull; Southampton; Southend-on-Sea; Sunderland; Thurrock; Wakefield; West Dunbartonshire.

Large & Small (41)

Bath & NE Somerset ;Bournemouth; Bradford; Brighton & Hove; Cannock Chase; Canterbury; Carlisle; Chelmsford; Chester; Derby ; Dover; Dumfries & Galloway; East Lindsey; Falkirk; Harrogate; Hastings; Leicester; Luton; Maidstone; Mansfield; Milton Keynes; Newham; NE Lincolnshire; Peterborough; Renfrewshire; Restormel; St Helens; Salford ; Scarborough; Sefton; Sevenoaks; Shepway; South Tyneside; Surrey Heath; Swansea; Swindon; Taunton Deane; Torbay; Westminster, Woking; Wolverhampton.

2.3 The Casino Advisory Panel has advised that over the next few weeks all the proposals – and the evidence supporting them - will be considered and assessed to see how well they measure up. The consideration procedure to be adopted by the Panel will be:

- The examination of proposals will begin with their consideration with a view to their sifting and thinning down to manageable numbers for further examination, having regard to the set criteria and Government policy generally. During this process of consideration and sifting, additional information may be sought from the makers of proposals and others as needed, and consultancy may be sought as needed. Such additional information and advice will, like the proposals themselves, be in the public domain in due course. The output of this activity will be a short-list for further examination, having regard to the set criteria and Government policy generally.
- Before final decisions are made on the selection of proposals for further examination, consultation will be made with Regional Planning Bodies, Regional Development Agencies and comparable bodies in Wales and Scotland, and representations for further consideration will be invited.
- A brief statement will be made and published on the Panel’s website, giving the reasons why each of the submitted proposals has been or not been selected for further examination.

Further examination

In addition to the seeking of further information in writing, the Panel will test the strength of selected competing proposals. This may be done either through the medium of public “round table” conferences based on the method of examination-in-public (EiP) or through the examination and consideration of written representations and other material. EiPs are likely to take place from the end of August to the end of September and will be limited to proposals for the regional casino. Proposals for large and small casinos will be examined on the basis of written evidence.

- 2.4 It is expected that the initial evaluation period will last at least six to eight weeks. Once the initial phase of evaluation has been completed, selected proposals will then go forward for further examination over the summer months. The Panel has been asked to provide its recommendations to the Secretary of State by the end of 2006.

3. Financial Implications

The report has no direct financial implications. The licensing service is required to be self financing with all expenditure being met from fees and charges which are reviewed annually. The cost to local authorities of the additional licensing services, including the costs of issuing premises licences and related administration, and the reasonable costs of inspection and enforcement action is to be funded from licence fee income.

4. Legal Implications

- 4.1 This Report is for information only at this time.

- 4.2 Even if Cardiff were successful in its bid to the Government, the Committee would still have to determine the licensing application on its merits in accordance with the Gambling Act 2005, the relevant Codes of Practice and statutory Guidance, the gambling licensing objectives, and the Council's own future Statement of Gambling Licensing Policy.

- 4.3 The gambling licensing objectives are as follows:

- (i) preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime:
- (ii) ensuring that gambling is conducted in a fair and open way: and
- (iii) protecting children and other vulnerable people from being harmed or exploited by gambling.

- 4.4 As yet the statutory Guidance is in draft form, there are only draft Codes of Practice, and there is no secondary legislation. The Council's Statement of Licensing Policy is in the early drafting stages and will be considered by this Committee later this year.

5. Recommendation

That the report be noted.

16th June 2006

Chief Strategic Planning and Environment Officer

This report has been prepared in accordance with procedures approved by Corporate Directors Team.

Background Papers:

1. Report to the Committee of 7 March 2006 entitled "Gambling Act 2005 – Regional Casino".