



Licensing Committee

23 October 2013

Report Title	Casino Premises Licence – Stage 2 Evaluation Panel	
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Originating service	Licensing Services	
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Recommendation(s) for action or decision:

The Licensing Committee is recommended to approve the proposed membership of the Evaluation Panel.

1.0 Purpose

- 1.1 The Licensing Committee is requested to approve the proposed membership of the Evaluation Panel required to assist with the consideration of applications at Stage 2 of the Casino Premises Licence application process.

2.0 Background

- 2.1 In May 2008 Parliament gave Wolverhampton City Council the right to grant a premises licence for a 'Small Casino' under the Gambling Act 2005.

- 2.2 Sixteen licensing authorities have been awarded such licences across the UK.

- 2.3 Before granting such a licence, the Council is required to hold a two stage application process to ascertain who the casino operator shall be. At Stage 1 applications are subject to a public consultation and assessed against the principles set out in s.153 of the Gambling Act as follows:

- (a) in accordance with any relevant code of practice issued by the Gambling Commission;
- (b) in accordance with any relevant guidance issued by the Gambling Commission;
- (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b) above; and
- (d) in accordance with the Council's own Statement of Gambling Licensing Policy

This is identical to the process that must be followed by an application for any form of gambling premises licence under the Gambling Act 2005.

- 2.4 At the close of the Stage 1 application period, 31 October 2012, two applications were received in relation to:

- Casino 36 Limited, The Rubicon Casino, 56-58 Temple Street, Wolverhampton (including the premises formerly known as Beach Nightclub, Temple Street, Wolverhampton)
- Wolverhampton Racecourse Limited, Dunstall Park, Wolverhampton.

- 2.5 One representation was received in respect of the Wolverhampton Racecourse application; however this was outside the consultation period and was disregarded. As such this application has been provisionally granted at Stage 1.

- 2.6 A total of 108 representations were received in respect of the Casino 36 Limited application. These were primarily from a neighbouring church and focus on the potential impact of the casino on vulnerable persons attending various treatment services located nearby. A representation was also received from the solicitors representing

Wolverhampton Racecourse raising a technical issue regarding the validity of the Casino 36 application.

- 2.7 In accordance with the Gambling Act 2005 the determination of Stage 1 applications where representations are received is to be made by the Licensing Sub-Committee. Following a series of hearings to address the various issues raised the application was provisionally granted at Stage 1 on 19 June 2013.
- 2.8 At Stage 2 the applications are assessed through a competition process. This will involve an assessment of the additional benefits of the casino premises licence applications proposed by the prospective casino operators.
- 2.9 In Wolverhampton, after "Deliverability and Risk" job creation and regeneration have been identified as the primary factors in determining applications at Stage 2.

3.0 Stage 2 – Establishing the Evaluation Panel

- 3.1 At Stage 2 of the process the decision to award the small casino premises licence will fall to Licensing Committee.
- 3.2 Prior to this determination the Stage 2 applications will be placed before an Evaluation Panel. The function of the Evaluation Panel is to evaluate the applications for the benefit of the Licensing Committee. The Evaluation Panel is not a decision-making body, and whilst the Licensing Committee may take the panels evaluations into account, it is not bound to follow their recommendations..
- 3.3 At Stage 2 of the competition, each of the main criteria has been allocated a total number of marks. Applicants will be scored up to a maximum for each criterion depending on the benefits offered within that criterion. Each criterion is allocated into a separate category and will be marked based on the evidence provided in the respective applications. The criteria are detailed below:

Deliverability and Risk –	Total Marks	225
Employment –	Total Marks	175
Regeneration Benefits (Physical Development) –	Total Marks	100
Regeneration Benefits (Additional Facilities) –	Total Marks	100
Regeneration Benefits (Community Regeneration) –	Total Marks	100
Financial Contributions –	Total Marks	100
Social Responsibility –	Total Marks	100
Local Business Benefits –	<u>Total Marks</u>	<u>100</u>
	Maximum	1000

- 3.3 The Evaluation Panel will need to be in place for the commencement of the Stage 2 application process. It is proposed that the panel will be led by a core group who will chair separate sub groups themed around the scoring criteria. The core and sub groups will meet 2/3 times (including a training session).
- 3.4 The Licensing Committee is requested to agree the membership of the Evaluation Panel, which is detailed below:

Core Evaluation Panel –

(will score deliverability and risk)

Chair: Keith Ireland, WCC Strategic Director, Delivery - Chair of Social Responsibility Group
Regeneration Expert: Andy Perry, Community Sense – Chair of Regeneration Sub Group
Economic Development: Keren Jones, WCC AD Partnerships, Economy & Culture – Chair of Employment Sub Group
Legal Expert: Ewen Macgregor, Bond Dickinson
Finance Expert: WCC, Strategic Financial Services – Chair of Finance Sub Group

Employment Sub Group –

(will score employment)

Chair: Keren Jones, WCC, AD Partnerships, Economy & Culture Economic Development
Support: WCC HofS/SM from Economic Development
Regeneration Expert: Andy Perry
Youth Employment: Paul Doherty, WCC Head of Skill Development
External Industry Expert: Paul Sculpher
Legal Expert: Ewen Macgregor

Regeneration Sub Group –

(will score physical development, additional facilities, community regeneration and local business benefits)

Chair: Andy Perry
Economic Development: Keren Jones, WCC, AD Partnerships, Economy and Culture
Planning: Ian Culley, WCC, Section Leader, Planning Policy
Transportation: WCC HofS/SM Transportation.
External expert: Black Country Consortium
Legal Expert: Ewen Macgregor

Social Responsibility Sub Group –

(will score social responsibility)

Chair: Keith Ireland, WCC Strategic Director, Delivery
External Expert: GamCare
Public Health: WCC, Director of Public Health (or appropriate officer from Service Group)
External Industry Expert: Paul Sculpher
Legal Expert: Ewen Macgregor

Finance Sub Group –

(will score financial contributions)

Chair: WCC, Strategic Financial Services
Industry Expert: External
Legal Expert: Ewen Macgregor

3.4 Both applicants have been given an opportunity to raise any objections to the proposed membership of the Evaluation Panel and have both replied and confirmed they have no objections to the panels proposed membership.

4.0 Next Steps

4.1 Following agreement of the Evaluation Panel it is proposed to commence the Stage 2 application process on 1 November 2013.

4.2 Applicants will be required to submit their final applications no later than 31 January 2014.

4.3 The Evaluation Panel will consider the applications and prepare a report for consideration by the Licensing Committee next Spring.

4.4 It is anticipated that the Licensing Committee will then determine the Stage 2 application process and award the licence in June 2014.

5.0 Financial implications

5.1 An allocation of £50,000 has been set aside from the Regeneration Reserve to support the casino applications appraisal process. This allocation was approved by Cabinet (Resources) Panel on 23 July 2013. Any requests for additional resources will be subject to the normal budgetary framework. [RT/10102013/K]

6.0 Legal implications

6.1 These are detailed in the main body of the report, particularly in section two [SH/10102013/G].

7.0 Environmental implications

7.1 There are no direct environmental implications.