



# Licensing Committee

23 October 2013

**Time** 10.00am      **Public meeting?** YES      **Type of meeting** Regulatory  
**Venue** Civic Centre, St Peter's Square, Wolverhampton WV1 1SH  
**Room** Committee Room 1 (3<sup>rd</sup> floor)

## Membership

**Chair** Cllr Bishan Dass (Lab)  
**Vice-chair** Cllr Alan Bolshaw (Lab)  
**Shadow-Chair** Cllr Mark Evans (Con)

**Labour**  
Cllr Harman Banger  
Cllr Ian Claymore  
Cllr Craig Collingswood  
Cllr Susan Constable  
Cllr Keith Inston  
Cllr Rita Potter  
Cllr John Rowley

**Conservative**  
Cllr Neville Patten  
Cllr Patricia Patten

**Liberal Democrat**

## Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

**Contact** Linda Banbury  
**Tel** 01902 555040  
**Email** [linda.banbury@wolverhampton.gov.uk](mailto:linda.banbury@wolverhampton.gov.uk)  
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Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

**Website** <http://wolverhampton.cmis.uk.com/decisionmaking>  
**Email** [democratic.support@wolverhampton.gov.uk](mailto:democratic.support@wolverhampton.gov.uk)  
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

# Agenda

## Part 1 – items open to the press and public

*Item No.*    *Title*

### **BUSINESS ITEMS**

1.            **Apologies for absence**
2.            **Declarations of interest**
3.            **Minutes**  
              **(a) Meeting, 25 September 2013**  
              [for approval]  
              **(b) Sub-Committee – two meetings, 11 October 2013**  
              [for approval and adoption]
4.            **Matters arising**  
              [To consider any matters arising from the minutes]

### **DECISION ITEMS**

5.            **Schedule of Outstanding Minutes**  
              [To receive a schedule indicating when reports on individual items will be submitted for consideration]
6.            **Casino Premises Licence – Stage 2 Evaluation Panel**  
              [To approved the membership of the Panel]

## Part 2 – exempt items, closed to the press and public nil



# Licensing Committee

## Minutes – 25 September 2013

### Attendance

#### Members of the Committee

Cllr Bishan Dass (chair)	Cllr Alan Bolshaw
Cllr Ian Claymore	Cllr Craig Collingswood
Cllr Susan Constable	Cllr Keith Inston
Cllr Patricia Patten	Cllr Neville Patten
Cllr Rita Potter	Cllr John Rowley

#### Employees

Sarah Hardwick	Senior Solicitor (Delivery)
Andy Jervis	Head of Regulatory Services (Education and Enterprise)
Dan O'Brien	Section Leader, Environmental Health (Commercial)
Colin Parr	Licensing Manager (Education and Enterprise)
Linda Banbury	Democratic Support Officer (Delivery)

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## Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>	<i>Action</i>
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### BUSINESS ITEMS

- |    |                                                                                                                          |               |
|----|--------------------------------------------------------------------------------------------------------------------------|---------------|
| 1. | <b>Apologies for absence</b><br>Apologies for absence were submitted on behalf of Cllrs Harman Banger and Mark Evans     | Linda Banbury |
| 2. | <b>Declarations of interest</b><br>No interests were declared.                                                           | -             |
| 3. | <b>Minutes</b><br>Resolved:<br>(a) That the minutes of the meeting held on 31 July 2013 be approved as a correct record. | -             |

- (b) That the minutes of the meetings of the Licensing Sub-Committee held on 2 August (x 2), 14 August and 12 September 2013 be approved as a correct record and adopted.

4. **Matters arising**

**Committee 31 July 2013**

The Head of Regulatory Services confirmed that the issues raised in regard the One Stop Shop, 66 Oxley Moor Road were being addressed by the Council.

The Licensing Manager advised that a report was due to be presented to the next meeting for approval of the Small Casino Licence Evaluation Panel. Officers were due to interview the regeneration, employment, finance and legal experts the following week and the Stage 2 applicants would be afforded the opportunity to raise objections to any of the independent Panel members. Stage 2 would commence on 1 November, with a three month evaluation period and final report being presented to this Committee in Spring 2014.

**Sub-Committee 12 September 2013**

A discussion took place regarding consideration of the application for a new premises licence in respect of Super Mahan, 31 Thornley Street. Councillors were concerned that, despite the implementation of the Cumulative Impact Policy being initially led by the West Midlands Police, there was still a lack of consistency in regard to the representations made by them. The Sub-Committee had noted that the initial premises licence application had been extremely vague, with the Responsible Authorities practically writing the operating schedule for the applicant. Only the Licensing Authority had objected to the late closing hours and the revised timings were accepted by the applicant's legal representative prior to the meeting. Given the withdrawal of objections by the Responsible Authorities, following agreement of conditions with the applicant's legal adviser, the Sub-Committee had taken the pragmatic and only step available to them of granting the application.

The Licensing Manager referred to the rebuttable presumption to refuse in regard to applications in the Cumulative Impact Zone (CIZ). He acknowledged the advice of the Solicitor that all applications must be considered on their individual merit, but would undertake to ensure relevant representations were made by the Licensing Authority against all future applications of this type within

the CIZ. He further undertook to raise the Committee's concerns at the next meeting of the Responsible Authorities Forum. The Solicitor advised that the Licensing Act 2003 actively encouraged negotiation between the parties prior to any hearing and it was therefore likely that this practice would continue.

The Licensing Manager further indicated that the Policy was not robust enough in regard to the issue of street drinking, adding that a comprehensive piece of work was underway, including the issues of early morning restriction orders and the late night levy, with anticipated implementation in Spring 2014.

5. **Schedule of outstanding minutes**

A report was presented, which set out a schedule of outstanding minutes, together with an indication of when individual reports would be submitted for consideration.

Resolved:

That the report be received.

Linda  
Banbury

**DECISION ITEMS**

6. **Safety of Sports Grounds Policy Document – managing safety of sports grounds**

The Section Leader (Environmental Health, Commercial) presented a report, which sought endorsement of the policy document.

Resolved:

That the Policy Document Managing Safety at Sports Grounds, as detailed at Appendix A to the report be endorsed.

Dan O'Brien

7. **New General Safety Certificate – Molineux Stadium, Waterloo Road, Wolverhampton**

The Section Leader (Environmental Health, Commercial) presented a report, which sought endorsement of a new General Safety Certificate for the Molineux Stadium. Responding to a question in regard the designated section of the stadium for away fans the Officer advised that, in view of the halt to the comprehensive redevelopment programme, the location for away fans was assessed by the relevant authorities prior to each individual game.

It was noted that the authority had not, in the past, made a charge for preparing and issuing the safety certificate; the cost of officer time would probably be in the region of £3-4,000.

Resolved:

- (a) That the new Safety Certificate for the Molineux Stadium, Waterloo Road, Wolverhampton, as detailed at Appendix A to the report, be endorsed.
- (b) That a fee be charged for the actual work carried out in preparing and issuing a Safety Certificate, in accordance with the Safety of Places of Sport Regulations 1988.

Dan O'Brien

8. **Scrap Metal Dealers Act 2013**

The Licensing Manager presented a report, which outlined the key provisions of the Act and the proposed local implementation arrangements, together with the compliance and enforcement arrangements. He advised that the implementation date was now 1 December 2013 and Wolverhampton traders would be given until 31 October to apply, with transitional arrangements being in place in the intervening period.

Responding to Councillors' concerns regarding nuisance from some unlicensed collectors in residential neighbourhoods, the Licensing Manager advised that the Act aimed at a regulatory framework to deal primarily with metal theft; it would provide for a record check and audit trail, and removed the ability for cash transactions. Collectors would be required to display their licence, which would be similar to the internal plate on a taxi, in the vehicle. This requirement did not however apply to all collectors. There would be multi-agency involvement and problems identified during the licensing process, which did not fall under the act, would be drawn to the attention of the relevant authorities.

Resolved:

- (a) That the fee structure, detailed within the report, be endorsed and approved to enable applications to be received and processed from 1 October 2013.
- (b) That, in accordance with the Act, authority be delegated to the Strategic Director, education and Enterprise in respect of the decision making functions outlined at section 6 of the report.
- (c) That a briefing note on the detail of the compliance and enforcement arrangements be circulated to all Members of the Council.
- (d) That a progress report be presented to Committee in six months time.

Colin Parr

9. **Performing Animals Act 1925**

The Licensing Manager presented a report, which sought approval of a revised fee for the registration of performing animals.

Resolved:

That the revised fee for the registration of performing animals, outlined at section 2.10 of the report, be approved. Elaine Moreton

**Part 2 – exempt items**

**Nil**



# Licensing Sub-Committee

## Minutes – 11 October 2013

### Attendance

#### Members of the Sub-Committee

Cllr Mark Evans (chair)  
Cllr Alan Bolshaw (agenda items 1-4)  
Cllr Keith Inston  
Cllr John Rowley (agenda items 5-9)

#### Employees

Rob Edge	Section Leader (Licensing)
Jayne Freeman-Evans	Section Leader Environmental Health (Commercial)
Sarah Hardwick	Senior Solicitor
Linda Banbury	Democratic Support Officer

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## Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>	<i>Action</i>
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### BUSINESS ITEMS

- Apologies for Absence**  
There were no apologies for absence.
- Declarations of interest**  
No interests were declared.

### DECISION ITEMS

#### EXCLUSION OF PRESS AND PUBLIC

- Exclusion of press and public**  
Resolved:  
That in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A of the Act.



## Part 2 – exempt items, closed to the press and public

### 4. **Review of a Private Hire Vehicle Operator’s Licence**

Elaine  
Moreton/  
Linda  
Banbury

The chair welcomed everyone to the meeting, introductions were made and he outlined the procedure to be followed.

Mr Hussain was in attendance at the meeting in connection with the review of his Private Hire Vehicle Operator’s Licence. He had telephoned the Democratic Support Officer earlier in the week, indicating that he wished the matter to be deferred as his legal representative was out of the country and was advised that he should attend the meeting to make the request to the Sub-Committee. He indicated at the meeting, however, that he was happy to represent himself.

The Section Leader (Licensing) then outlined the report, which had been circulated to all parties in advance of the meeting.

Responding to questions, Mr Hussain indicated that he had not been in the office on 12 July when the Licensing Manager had telephoned to advise him that the insurance policy covering a number of vehicles had been cancelled and had not been informed until 14 July when his brother, who was managing the base on that day, informed him of the call. The Section Leader (Licensing) produced a call log indicating that the Licensing Manager had telephoned Mr Hussain’s mobile phone and the call had lasted 1 minute 25 seconds. Mr Hussain was unclear as to the extent of information his brother had relayed to him in connection with the Licensing Manager’s call, and indicated that there was a lot of background noise from the base at the time. He added that he had not telephoned the Licensing Authority the following day as the vehicles in question had been collected at 8am that morning. He accepted that it was his responsibility to ensure that the vehicles had the appropriate insurance, but was reliant upon the information given to him.

At this juncture the Section Leader (Licensing) and Mr Hussain withdrew from the meeting and the Sub-Committee discussed the issues which had been raised during consideration of the licence review. The Solicitor advised them of the options open to them in determining the application.

The parties returned and the Chair advised Mr Hussain of the following decision, which was based on the details in the report of

the Licensing Officer and representations made by the operator at the meeting:

Resolved:

That, based on the evidence received the Sub-Committee are satisfied that Mr Tahir Hussain is not a fit and proper person to hold a Private Hire Vehicle Operator's Licence in accordance with Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 and have therefore decided to revoke his licence in accordance with the following provisions of the Act:

Section 62(1)(b) any conduct on the part of the operator which appears to the council to render him unfit to hold an operator's licence, and

Section 62(1)(d) any other reasonable cause

The applicant has a right of appeal against the above decision, to the Magistrates' Court, within 21 days of receipt of written notice of this decision.

## **Part 1 – items open to the press and public**

### **5. Licensing Act 2003 – Review of a premises licence in respect of Villiers Arms, 5 Villiers Square, Bilston, Wolverhampton**

In attendance

For the premises

-

Applicant for Review

Jayne Freeman-Evans

and Mike Briscoe - Environmental Health (Commercial)

Mr and Mrs Edwards

and Mr Nicholls - Witnesses for the review applicant

Responsible Authority

Elaine Moreton - Licensing Authority

The chair introduced the parties and outlined the procedure to be followed at the meeting. The Premises Licence Holder/Designated Premises Supervisor, Mr J Denston, failed to attend the hearing and the Sub-Committee agreed to hear the matter in his absence.

No declarations of interest were made, however, Councillor Rowley advised that he knew Mr Denston in his capacity as Premises Licence Holder for another establishment, that he had not seen him

for twelve months and that this knowledge would not prejudice his judgement in the matter being considered today.

The Section Leader (Licensing) outlined the report submitted to the meeting and circulated to all parties in advance. Environmental Health (Commercial) were of the belief that the business was not currently trading and would use the powers available to them to ensure that the property was secured.

At this juncture, Jayne Freeman-Evans outlined the application for review as detailed at appendix 3 of the Licensing Officer's report and, in so doing, indicated that a total of 42 complaints had been made over a period of 28 days. She advised that there was a typographical error in the review application and that the trading hours were those quoted in the Licensing Officer's report. Responding to questions, she advised that the review application had been served at the premises and the Premises Licence Holder's home address. The Premises Licence Holder had been advised that the fire doors should remain closed, but had responded that it was the customers who opened them and he was powerless to stop them

The Section Leader (Licensing) then outlined her representations in support of the review application.

At this point the residents who lived in close proximity to the premises and were attending on behalf of Environmental Health (Commercial) were afforded the opportunity to outline the noise nuisance problems they had suffered. In addition to the noise they had had bottles and other items thrown into their gardens. The problems were mainly experienced on Fridays and Saturday, but sometimes in the week. The majority of complaints to Environmental Health were in respect of the weekend. The residents had suffered noise nuisance after 2300 hours due to children playing on the bouncy castle in the beer garden having been there from the late afternoon.

## **EXCLUSION OF PRESS AND PUBLIC**

### **6. Exclusion of press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business as it

involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A of the Act. All parties, with the exception of the Council's Solicitor and Democratic Support Officer, withdrew from the meeting at this point.

## **Part 2 – exempt items, closed to the press and public**

### **7. Deliberations and decisions**

The Sub-Committee discussed the issues which had been raised during consideration of the premises licence review and the Solicitor advised them of the options open to them in determining the application.

### **8. Re-Admission of Press and Public**

Resolved:

That the press and public be readmitted to the meeting.

## **Part 1 – items open to the press and public**

### **9. Announcement of Decision**

The parties returned to the meeting and the chair outlined the decision of the Sub-Committee as follows:

Rob Edge/  
Linda  
Banbury

An application has been made by Environmental Health (Commercial) for a review of the premises licence in respect of the Villiers Arms, 5 Villiers Square, Bilston, Wolverhampton.

At this hearing to review the premises licence, the Licensing Sub-Committee have listened carefully to all representations made by the persons who have spoken at the hearing. They have considered all the evidence presented and have found the following facts:

1. A significant number of complaints have been received by the Council in regard to noise nuisance, some of which are after 2200 hours.
2. Noise emanating from inside the premises appears to be caused by the Premises Licence Holder not utilising the noise limitation equipment and leaving external doors open.

The above acts are in breach of the following current conditions of the premises licence:

1. 'All doors and windows to the premises to be kept closed during periods of regulated entertainment, except to allow for access/egress.'
2. 'No entertainment shall take place on the exterior part of the premises after 2200 hours and the beer garden shall be closed (for avoidance of doubt this condition shall prohibit the inflation and use of bouncy castles or similar after 2200 hours).'
3. 'The Premises Licence Holder shall install a noise limiter and set it at an appropriate level as advised by Environmental Health.'

Based upon the above and having regard to the application and relevant representations made, the Sub-Committee have decided to:

- a) Exclude regulated entertainment from the scope of the Licence permanently.
- b) Remove the Designated Premises Supervisor.

The Sub-Committee have also decided that deregulation of live music up to 2300 hours (As provided by the Live Music Act 2012) will not apply to these premises.

The above actions are considered necessary and proportionate action for the promotion of the prevention of public nuisance licensing objective.

Written notice of this determination will be given to the holder of the premises licence, the applicant for the review, any other persons who have made relevant representations and the Chief of Police.

An appeal may be made to the Magistrates' Court against the decision by the applicant for the review, the holder of the premises licence, or any other persons who have made relevant representations, within 21 days from the date of written notice of this decision.



# Licensing Sub-Committee

## Minutes – 11 October 2013

### Attendance

#### Members of the Sub-Committee

Cllr Mark Evans (chair)  
Cllr Alan Bolshaw  
Cllr John Rowley

#### Employees

Rob Edge	Section Leader (Licensing)
Sarah Hardwick	Senior Solicitor
Linda Banbury	Democratic Support Officer

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## Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>	<i>Action</i>
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### BUSINESS ITEMS

- 1. Apologies for Absence**  
There were no apologies for absence.
- 2. Declarations of interest**  
No interests were declared.

### DECISION ITEMS

- 3. Licensing Act 2003 – Application to vary a premises licence in respect of Gorgeous, 32-36 School Street, Wolverhampton**

In attendance

For the premises

David Campbell	-	Legal Advisor
Shaun Keasey	-	General Manager
Susan Keasey	-	Director, JJCA Limited
Dale Murphy	-	Designated Premises Supervisor
Sergio Lema	-	Door Supervisor

Objectors

Inspector Sarah Thomas-West  
and WPC Natalie Holt - West Midlands Police  
Elaine Moreton - Licensing Authority  
Dianne Slack - Trading Standards

The chair introduced the parties and outlined the procedure to be followed at the meeting. No declarations of interest were made.

The Licensing Manager outlined the report submitted to the meeting and circulated to all parties in advance and, in doing so, advised that mediation between the parties had taken place in September with conditions being agreed with the exception to that related to the last entry time.

WPC Holt indicated that she had been handed information from the applicant's legal representative that morning and would wish to seek an adjournment to obtain legal advice on the case law presented. Mr Campbell had submitted a number of documents that day and the Sub-Committee had also not had the opportunity to read them.

Mr Campbell indicated that the hearing had been listed for some time and would oppose a decision to adjourn the hearing.

**EXCLUSION OF PRESS AND PUBLIC**

**4. Exclusion of press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A of the Act.

All parties, with the exception of the Council's Solicitor and Democratic Support Officer, withdrew from the meeting at this point.

## **Part 2 – exempt items, closed to the press and public**

### **5. Deliberations and decisions**

The Solicitor advised that, whilst she was able to advise on the case law presented by Mr Campbell, she understood that the Police may wish to seek independent legal advice.

### **6. Re-Admission of Press and Public**

Resolved:

That the press and public be readmitted to the meeting.

## **Part 1 – items open to the press and public**

### **7. Announcement of Decision**

Mr Campbell requested that the Police provide full details of the incidents in the schedule submitted to him within 7 days and that he be afforded 7 days within which to provide a written response before the adjourned hearing takes place.

Resolved:

That, in order to enable the submission of the above mentioned information, the Sub-Committee be adjourned at this point and re-convened at 1300 hours on Friday 1 November 2013.

Rob Edge  
Linda  
Banbury





# Licensing Committee

23 October 2013

**Report Title**

Schedule of Outstanding Minutes

**Originating service**

Delivery/Democratic Support

**Accountable officer(s)**

Linda Banbury  
Tel  
Email

Democratic Support Officer  
01902 55(5040)  
linda.banbury@wolverhampton.gov.uk

**Recommendation for noting:**

The Committee is asked to note the report

	Subject	Date of Meeting and Minute No.	Decision	Comments
1.	Private Hire Vehicle Criteria	27.06.12 20(b)	Further report to be presented following completion of review by the Law Commission in relation to taxi legislation reform.	Report to future meeting
2.	Future of Hackney Carriage Services	13.02.13 38(c)	Further review of Hackney Carriage provision to take place in 2016	Report to July 2016 meeting
3.	Hackney Carriage and Private Hire Vehicle Testing at VOSA Registered Garages	17.04.13 61(f)	Report to be presented in twelve months on impact of proposals in regard to vehicle testing	Report to April 2014 meeting
4.	City Centre Pubwatch Scheme	22.05.13 2	Update to be presented on outcome of customer research	Report to November 2013 meeting
5.	Review of Decision Making	22.05.13 6(d)	Annual delegation report to be presented	Report to May 2014 meeting
6.	Alcohol Strategy: Progress Update	22.05.13 8(b)	Further update to be presented in six months (individual goal leads to attend the meeting)	Report to November 2013 meeting
7.	Small Casino Licence	25.09.13 4	Report to be presented for approval of Evaluation Panel	Report to this meeting
8.	Scrap Metal Dealers Act	25.09.13 8	Progress report to be presented in six months	Report to March 2014 meeting



# Licensing Committee

## 23 October 2013

<b>Report Title</b>	Casino Premises Licence – Stage 2 Evaluation Panel	
<b>Accountable Strategic Director</b>	Tim Johnson Education and Enterprise	
<b>Originating service</b>	Licensing Services	
<b>Accountable officer(s)</b>	Name	Colin Parr
	Tel	01902 550105
	Email	colin.parr@wolverhampton.gov.uk
	Name	Ruth Taylor
	Tel	01902 555635
	Email	ruth.taylor@wolverhampton.gov.uk

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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.