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## Report of Section Head, Entertainment Licensing

### Report to Assistant Chief Executive (Citizens & Communities)

**Date:** 3rd February 2016

**Subject:** **Gambling Act 2005**  
**Large Casino – Premises Licence Transfer**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City & Hunslet		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Appendix A is exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3)		

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### Summary of main issues

1. In May 2013 the Licensing Committee granted a provisional statement to Global Gaming Ventures Limited (GGV) to operate a large casino at Eastgate, now known as Victoria Gate, Leeds 1.
2. In March 2015 the provisional statement was superseded by grant of the full premises licence.
3. The premises licence is subject to an agreement (Schedule 9 agreement) under paragraph 5(3)(b) of Schedule 9 of the Gambling Act 2005 which secures the benefits offered by GGV Ltd.
4. Application has now been made to transfer the premises licence to Global Gaming Ventures (Leeds) Ltd., a wholly owned subsidiary company of GGV Ltd.
5. This process will also involve the novation of the Schedule 9 agreement to GGV (Leeds) Ltd.

## **Recommendations**

6. That the Assistant Chief Executive (Citizens & Communities), agrees to the transfer and novation of the Schedule 9 agreement to GGV (Leeds) Ltd.

### **1.0 Purpose of this report**

- 1.1 To advise the Assistant Chief Executive (Citizens & Communities) of the transfer of the large casino premises licence from GGV Ltd to GGV (Leeds) Ltd., and ask that the Assistant Chief Executive (Citizens & Communities) agrees to the transfer and novation of the Schedule 9 agreement to GGV (Leeds) Ltd.

### **2.0 Background information**

- 2.1 In May 2013 the Licensing Committee granted a provisional statement for a large casino licence to GGV Ltd., for the site at Eastgate, Leeds 1, now known as Victoria Gate.
- 2.2 The provisional statement was awarded to GGV Ltd following a competitive exercise, and under paragraph 5(3)(b) of Schedule 9 of the Gambling Act 2005, an agreement, known as the Schedule 9 agreement, was drawn up to secure the benefits that GGV Ltd would deliver. The Schedule 9 formed a condition of the provisional statement and subsequent full premises licence.
- 2.3 The Schedule 9 agreement includes a range of benefits which will deliver employment, training, mitigate problem gambling, and commits to environmental principles to the physical development of the casino, in addition to a commitment to contribute to a Social Inclusion Fund with initial funding being received in 2013 and subsequent payments expected once the casino is opened.
- 2.4 The Social Inclusion Fund is managed by the council's Financial Inclusion Team.
- 2.5 GGV Ltd went on to secure the full casino premises licence in March 2015.
- 2.6 It was expected that nearing the opening date of the casino an application would be made to transfer the premises licence to a subsidiary company of GGV (Ltd). Upon such transfer the benefits secured by the Schedule 9 agreement would remain.

### **3.0 Main issues**

- 3.1 Application has now been made to transfer the casino premises licence from GGV Ltd to GGV (Leeds) Ltd.
- 3.2 GGV (Leeds) Ltd is a subsidiary company of GGV Ltd., established for the purpose of operating the Leeds casino.
- 3.3 The premises licence transfer application has been made in accordance with the statutory process and no representations were received.

3.3 However, the premises licence is subject to the following condition:

‘The licensee shall comply with the terms and conditions of the Schedule 9 agreement dated 17<sup>th</sup> May 2013 and made between Global Gaming Ventures Limited and Leeds City Council’.

3.4 The Schedule 9 agreement will now need to be substituted with an amendment which replaces reference to GGV Ltd with GGV (Leeds) Ltd. This is carried out by way of a novated agreement.

3.5 It is confirmed that all guarantors to the previous agreement remain, with the exception that GGV Ltd will be replaced by GGV (Leeds) Ltd.

3.6 All stakeholders concerned with the benefits set out in the Schedule 9 agreement are satisfied with the said novation from GGV Ltd to GGV (Leeds) Ltd.

3.7 Although all benefits secured by the Schedule 9 agreement remain the same, during discussions it was identified that this provided an opportunity to address some minor changes within the existing agreement which have transpired over the past two years, such as references to the Eastgate Quarters and the titles of certain services that have since changed.

3.8 A copy of the draft novated agreement which includes the proposed changes is attached at appendix A together with information relating to the agreement. The information and appendix A is potentially exempt information under Access to Information Procedure Rule 10.4(3) as this includes information relating to the financial or business affairs of any particular person and in all circumstances of the case, the public interest in maintain the exemption outweighs the public interest in disclosing the information.

## **4.0 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 The transfer of the casino premises licence has been subject to the statutory procedure.

4.1.2 Consultation concerning the novation of the Schedule 9 agreement has been held with relevant stakeholders.

### **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 The Gambling Act Statement of Licensing Policy is subject to an EDCI Assessment, and a screening form has been completed.

### **4.3 Council Policies and City Priorities**

4.3.1 The licensing regime contributes to the following Best Council Plan 2013-17 outcomes:

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty
- Make it easier for people to do business with us

4.3.2 The licensing regime contributes to our best council objective:

- Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city.

#### **4.4 Resources and Value for Money**

4.4.1 Employment and financial benefits have been secured through the Schedule 9 agreement. These will be monitored by stakeholders to the Agreement, including the Council's Financial Inclusion Team, Employment & Skills, Property & Regeneration, Entertainment Licensing and City Centre Management. Annual reports will also be presented to the Licensing Committee.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 There are no legal implications for this report.

#### **4.6 Risk Management**

4.6.1 No risks have been identified as all Guarantors to the agreement remain as previous, with the exception that GGV (Leeds) Ltd will replace GGV Ltd.

### **5 Conclusions**

5.1 The transfer of the casino premises has not been subject to any representations.

5.2 Stakeholders to the Schedule 9 agreement are satisfied for the novation of the agreement to GGV (Leeds) Ltd.

### **6 Recommendations**

6.1 That the Assistant Chief Executive (Citizens & Communities), agrees to the transfer and novation of the Schedule 9 agreement to GGV (Leeds) Ltd.

### **7 Background documents<sup>1</sup>**

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.