

Report of Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 5th December 2017

Subject: Large Casino – variation to Schedule 9 Agreement

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City and 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
If relevant, Access to Information Procedure Rule number: 10.4(3)		
Appendix number: A only		

Summary of main issues

1. The Gambling Act 2005 provided for 8 large and 8 small casino licences to be granted, in addition to the limited converted casino licences. Leeds was awarded the ability to grant a large casino licence and did so to Global Gaming Ventures Ltd in 2013.
2. As part of the competitive process Global Gaming Ventures Ltd committed to providing a number of benefits that were converted into a legal agreement made under Schedule 9 of the Gambling Act 2005. Benefits include commitments to employment, training, mitigation of problem gambling, environmental principles and the physical development of the casino. The licence was transferred to Global Gaming Ventures (Leeds) Ltd in 2016.
3. Following discussions with Global Gaming Ventures (Leeds) Ltd, it is proposed to amend two clauses within the original Schedule 9 agreement relating to the annual monitoring fee and the provision of a monthly drop in centre.

Recommendations

4. That Licensing Committee approve the variation to the Schedule 9 Agreement as set out in this report.

1 Purpose of this report

- 1.1 To seek approval of a variation of contract for the Schedule 9 Agreement between the Council and Global Gaming Ventures (Leeds) Ltd.

2 Background information

- 2.1 The Gambling Act 2005 changed the legislation governing the licensing of casinos significantly. The Act and associated regulations and a Code of Practice prescribed a two stage process under which applications for the licence can be submitted and considered. The Council must grant the application which would, in the authority's opinion, be likely if granted to result in the greatest benefit to the authority's area.
- 2.2 The two stage application process commenced on 24th January 2012 and culminated on the 13th May with two remaining applicants. On the 13th May Licensing Committee met to determine which of the two applicants would, in the authority's opinion, be likely if granted to result in the greatest benefit to the authority's area.
- 2.3 Licensing Committee determined which of the two applicants would be the preferred applicant, and instructed officers to complete a legal agreement to secure the benefits offered under schedule 9 of the Gambling Act 2005.

3 Main issues

- 3.1 Following discussions between Global Gaming Ventures (Leeds) Limited and the Council's Financial Inclusion Team it has been identified that now the casino is fully operational, the monitoring of its activities are on the whole subject to its premises licence which is carried out by way of an annual report to the Licensing Committee. As a result it is unlikely that the monitoring fee, which is presently unspecified but to a maximum cap, will ever be fully drawn down. The change proposals will ensure that a set agreed amount is paid annually to the council for costs incurred or to be incurred by the council in connection with monitoring activities.
- 3.2 These proposed changes may be found in **Appendix A** to this report.
- 3.3 An officer of the Council's Financial Inclusion Team will be attendance to provide Members with further information as required.
- 3.4 It should be noted that the contents of Appendix A and any related discussions are potentially exempt information under Access to Information Procedure Rule 10.4(3) as these include 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. The report does not contain exempt information.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The large casino premises licence was awarded in accordance with the Gambling Act 2005.

4.1.2 The current Gambling Act Statement of Licensing Policy 2016 to 2018 was reviewed and approved by Full Council in November 2015 having first been presented before Licensing Committee, Scrutiny and Executive Board.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no equality and diversity/ cohesion and integration issues.

4.3 Council Priorities and Best Council Plan

4.3.1 The licensing regime contributes to the following Best Council Plan 2015-20 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 is linked to the Best Council Plan objectives:

- Supporting communities and tackling poverty, and
- Becoming a more efficient and enterprising council

4.4 Resources and value for money

4.4.1 Securing an annual fee for both the monitoring of the Schedule 9 and the provision of a support service, will ensure that the council has a sustainable regular income to cover costs associated. In addition that a service provision can be provided in a way that complements other support services. The annual fee will be paid into the Social Inclusion Fund and provide resource to support the Council's work around problem gambling.

4.5 Legal Implications, Access to Information and Call In

4.5.1 A variation agreement will be undertaken, agreed and signed by both the council and Global Gaming Ventures (Leeds) Limited.

4.5.2 This matter is an administrative decision made by Licensing Committee and as such is not available for Call In.

4.6 Risk Management

4.6.1 There are no issues relating to risk

5 Conclusions

5.1 In order to secure maximum benefit for the city, clauses relating to monitoring in sections 21.1 to 21.1.2 of the Schedule 9 Agreement and benefit 26 of the Schedule 1 are amended in accordance with Appendix A.

6 Recommendations

6.1 That Licensing Committee approve the variation to the Schedule 9 Agreement as set out in this report.

7 Background documents¹

7.1 There are no unpublished background documents that relate to this matter.

¹ 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.