

LEGAL & DEMOCRATIC SERVICES

**RICHARD IVORY, Solicitor,  
Head of Legal and Democratic Services  
Southampton and Eastleigh Licensing Partnership**

Southampton City Council  
Licensing Services  
Civic Centre  
Southampton SO14 7LY

Please address all correspondence to:  
**Licensing – Southampton City Council,  
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Direct dial: 023 8083 2749

E-mail: martin.grout@southampton.gov.uk

Our ref:

Please ask Martin Grout  
for:

Your ref:

Eversheds LLP  
Eversheds House  
70 Great Bridgewater Street  
Manchester  
M1 5ES

14<sup>th</sup> November 2014

Dear Sirs,

**GAMBLING ACT 2005 – GENTING CASINOS UK LTD; ROYAL PIER;  
MAYFLOWER PARK**

Further to my letter of 10<sup>th</sup> November I am pleased to confirm that the Licensing Committee has been arranged for 16<sup>th</sup> December 2014 at 10 am in the Council Chamber at the Civic Centre. You are welcome to attend but we would ask you to submit any written submissions prior to the meeting such that it can be included within the contents of the report. The purpose of the written submission is to allow Members to be aware of the arguments in advance and not to prevent you or your client from addressing the committee on the day.

We believe that the attached correspondence is relevant to the specific issue of the Stage 2 commencement date and accordingly propose to include this within the committee report.

Please let me know if you disagree, with reasons, with our opinion and also if you believe we have omitted any document that you feel should be included.

I would be grateful if you could respond within the next 7 days and detail your position with respect to the issue in hand, namely the proposal to defer the commencement of Stage 2 of the process.

We will then send you a copy of the report prior to the hearing so that each party will be in a position to identify the position of each applicant.

I look forward to hearing from you.  
Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. O'Connell'.

Locum Licensing Officer  
for Head of Legal and Democratic Services

## APPENDIX 1

### GENTING CASINOS UK LTD

DETAILS OF DOCUMENTS CONSIDERED RELEVANT TO THE ISSUE OF THE COMMENCEMENT OF STAGE 2 OF THE LARGE CASINO PROCESS.

		Date	Time
1.	Letter Genting to SCC (with 17/10/2014)	8/3/2013	
2.	e mail Martin Grout to David Roberts	5/9/2014	10.08
3.	Letter SCC to Genting	7/10/2014	
4.	e mail Martin Grout to David Roberts	7/10/2014	8.04
5.	e mail David Roberts to Martin Grout	7/10/2014	10.11
6.	e mail David Roberts to Martin Grout	10/10/2014	10.59
7.	Letter Genting to SCC	17/10/2014	
8.	Letter SCC to Genting	7/11/2014	
9.	Letter SCC to Genting	13/11/2014	

## Item 1



# GENTING CASINOS

UNITED KINGDOM

### **By email and post**

Licensing Team  
Southampton and Eastleigh Licensing Partnership  
PO Box 1767  
Southampton  
SO18 9LA

[casino@southampton.gov.uk](mailto:casino@southampton.gov.uk)

8th March 2013

Dear Sirs

### **Large casino licence**

We write in response to the consultation concerning the draft procedure note (the "**Note**") and evaluation criteria (the "**Criteria**") issued in February 2013 with regard to the proposed grant of a large casino licence by Southampton City Council (the "**Council**") under the relevant provisions of the Gambling Act 2005 (the "**Proposed Licence**").

We believe that it is in the interests of all stakeholders that the application procedure in respect of the Proposed Licence is effected in as efficient, transparent and procedurally fair manner as possible. Furthermore, given our position as one of the UK's largest and most experienced casino operators – and the holder of two existing licences in respect of which the Council is the relevant licensing authority – we believe we are particularly well-placed to comment on the Note and Criteria. Our comments below are made with the twin objectives of ensuring: (i) that the procedure is both fair and, as importantly, seen to be fair; and (ii) that the application procedure results in an outcome that is the most advantageous for the city and residents of Southampton.

In light of the objectives set out above, our comments on Note and the Criteria are as follows:

It is apparent from both the Council's website<sup>1</sup> and the Note (paragraph 7 thereof) that the Council's preferred site in respect of the Proposed Licence is Royal Pier. In addition, paragraph 7.1 of the Note states that "*Southampton City Council intends to enter into a development agreement with partners for the Royal Pier development and a casino element may be part of this with an application for a large casino premises licence forthcoming in relation to the site.*" Furthermore, in an article published recently in the Daily Echo it has been stated that "*council chiefs see [the casino] as key to the success of the whole £450 million development*" and Simon Letts, the Council's cabinet member for resources, is quoted as saying that "*[t]he casino is the cornerstone of the development and 3,000 jobs could come with it all*"<sup>2</sup>.

<sup>1</sup> See <http://www.southampton.gov.uk/business/licensing/lqcsno/>

<sup>2</sup> [http://www.dailyecho.co.uk/news/10266985.Race\\_launched\\_to\\_run\\_city\\_s\\_super\\_casino/](http://www.dailyecho.co.uk/news/10266985.Race_launched_to_run_city_s_super_casino/)

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- 2 Given the Council's clear stated preference for the site of the new casino, as supported by recent comments attributed to the Council, it is likely that prospective applicants will consider that the successful application for the Proposed Licence is predicated on locating the casino at Royal Pier. Whether or not that is indeed the case, it is important to appreciate that many (if not all) prospective applicants are likely to proceed on that basis. As such there is a material risk that the whole application process might be flawed which, if challenged, would result in unnecessary delay and additional cost to both applicants and the Council. We are keen to ensure that any time and expense we invest in the application process is not wasted and are sure that the Council wishes to ensure that too. Furthermore, if it is widely expected that the Council will award the Proposed Licence to an application for a siting the casino at Royal Pier, that might reduce the number of applications and viable alternative proposals, thereby depriving the Council from considering a wider range of possibilities which might deliver better long-term benefits to the city of Southampton and its residents.
- 3 In particular, we have concerns as to how the Council's preference for the siting of the proposed casino at Royal Pier can be reconciled with paragraph 3.2.3 of the Code of Practice issued by the Secretary of State for Culture, Media and Sport in relation to Determinations under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005 relating to Large and Small Casinos (the "**Code of Practice**"), with which, as you will be aware, licensing authorities must comply pursuant to paragraph 6(2) of Schedule 9 of the Gambling Act 2005. This states that any application for a casino licence must be determined by the licensing authority according to criteria that are "*not pre-selected to favour a particular applicant or application*". In light of the comments above, including statements attributed to the Council, there is a material concern that applications that propose to site the casino at Royal Pier are likely to be favoured.
- 4 We note the statement at paragraph 7.1 of the Note that disclosure of the Council's intention to enter into a development agreement for the Royal Pier which may include a casino element "*is set out here so as to ensure that potential applicants are aware of this likelihood and as a consequence, there can be no reason for the procedure to be unfair in any way or perceived to be unfair by any applicant*". However, we are concerned that, notwithstanding the Council's transparency on this point, the award process is very likely to be challengeable on the basis that the procedure as currently proposed is either unfair or perceived to be unfair and/or inconsistent with the Code of Practice. We believe that this poses a material risk to the whole process and that amendments to the Note and Criteria would mitigate this and thereby benefit all stakeholders including the Council.
- 5 Not only is potentially unclear as to whether the Council's approach with respect to its preferred site is compatible with the letter and spirit of the Code of Practice, but, to our knowledge, no other licensing authority has made such a definitive and specific statement of intent as to its preferred site for a small or large casino. By way of example, Great Yarmouth City Council stated that the two areas of Great Yarmouth in which a new casino is likely to bring greatest benefit to the borough are Great Yarmouth Town Centre and Great Yarmouth Sea Front; and both Kingston-Upon-Hull City Council and Middlesbrough Borough Council described their preferred locations only as being within the city centre and town centre respectively. Whilst those procedures identified a preferred location, none of them were linked to a specific development proposal.
- 6 Finally, we note that the Criteria state that in evaluating applications for the Proposed Licence the Council will attach greatest importance to the regenerative impact of the proposals received including whether it will contribute to "*promoting physical regeneration, tourism [and] employment opportunities*". As the Royal Pier is a £450 million development the siting of the proposed casino will not in itself promote the physical regeneration of the site. Regeneration, employment opportunities and the promotion of tourism will be achieved by the redevelopment of Royal Pier whether or not a casino forms part of the development. In this regard, we note that as stated by the Council "*[t]he waterfront will be revitalised, with a new and extended Mayflower Park, speciality shops, offices, leisure venues, apartments and waterside attractions*

*[and] will provide a permanent and improved home for the Southampton Boat Show<sup>3</sup>. As such, if the proposed casino is located in another location it is quite possible that it would contribute more to promoting physical regeneration, tourism and employment opportunities in the city. It therefore appears that any application for the proposed casino to be sited in a location other than Royal Pier may be likely, all other factors being equal, to score higher under the Criteria so far as regenerative impact is concerned.*

We would welcome the opportunity to discuss these comments with you in order to ensure that the procedure for the award of the Proposed Licence is both legally robust and likely to result in the best outcome for the city and residents of Southampton.

We look forward to seeing the final version of the Note and Criteria once published and, in due course, engaging with you about the application we are currently minded to submit for the Proposed Licence.

Yours faithfully



Elizabeth Tarn

General Counsel and Company Secretary

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<sup>3</sup> <http://www.southampton.gov.uk/s-environment/future/ccplans/vipproj/royal-pier-waterfront.aspx>

## Item 2

**From:** Grout, Martin [mailto:Martin.GROUT@southampton.gov.uk]

**Sent:** 05 September 2014 10:08

**To:** Grout, Martin

**Cc:** Andrew Cotton; 'elaine.whittle@rank.com'; 'joanne.morgan@bonddickinson.com'; 'davidnroberts@eversheds.com'; 'hagan@harrishagan.com'; 'Macgregor, Ewen'; 'Grimes, Becca'; 'Francesca Burnett-Hall'; 'Philip Kolvin QC'; Ivory, Richard

**Subject:** Stage 1 Licensing Committee meeting

Dear All

Please note that the decision notices are now available on <http://www.southampton.gov.uk/business/licensing/lqcsno/default.aspx>. The minutes of the meeting will be available in a few days time but I'm sure the important documents are on the link above.

Thank you to all the applicants who attended yesterday and helped the meeting go smoothly and to finish at a very reasonable hour. I apologise to those who had their representations withdrawn at the 11<sup>th</sup> hour but at least they were withdrawn.

Could I ask you to have a look at the stage 2 documentation which can be found at: <http://www.southampton.gov.uk/business/licensing/lqcsno/lcapps.aspx> and let me have any comments by Friday 19<sup>th</sup> September. If you focus on documents 12 – 20 it would be helpful but please note that document 16 will be updated with the current list of Members so you need not worry about that. As for the Advisory Panel (17) we are finalising those and when that is finalised I will update you on the Panel members.

We propose to commence Stage 2, subject to any appeal on the Stage 1 decisions, on 6<sup>th</sup> October with a closing date of 6<sup>th</sup> January 2015

Kind regards

Martin Grout

Locum Licensing Officer

Licensing Department

Legal and Democratic Services

Southampton and Eastleigh Licensing Partnership

Southampton City Council

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Item 3

LEGAL & DEMOCRATIC SERVICES

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Please ask for: Martin Grout

Your ref: ROBERDA/ 051949-010517

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7<sup>th</sup> October 2014

Dear Sirs,

**GAMBLING ACT 2005 – GENTING CASINOS UK LTD; ROYAL PIER;  
MAYFLOWER PARK**

Further to my e mail on 30<sup>th</sup> September I am now writing to formally ask you for your comments on the Council's proposal and to put the matter into slightly more context.

On Tuesday 30<sup>th</sup> September Richard Ivory and Martin Grout met with the developers behind the Royal Pier Waterfront development. Also present at the meeting was

Emma Meredith	SCC Economic Development
Andrew Cotton	Solicitor for Kymeira
Pram Nayak	Lucent Group
Ann Bartaby	Terence O'Rourke
Julia Jardine	Terence O'Rourke

The meeting had been called at the request of the developer to assess the current position of the scheme given changes in personnel at the developers.



A note of the discussion was made and is attached but these are not a verbatim account of the meeting.

Mr Nayak pointed out that they were not in a position to provide applicants who had expressed an interest in the casino component of the development with the detailed plans that Stage 2 requires. They would not be in such a position for, they estimated, another 6 months and accordingly asked the Council to consider deferring the commencement of the stage 2 for that period.

As I mentioned in my earlier message, the Council would be prepared to do this on the following basis:

- The Council had already been approached by Aspers and Grosvenor with a request to defer the start of Stage 2 for the very same reasons that the developer was advancing.
- These requests were not solicited by the Council nor was the Council aware of the issues previously. The application pack indicated that any timetable is provisional and not set in stone.
- The issue is a significant issue one which affects each of the applicants.
- The purpose of the competition is to raise benefits for SCC and it has become clear that for that to happen on the Royal Pier site would necessitate some delay.

There has been a criticism that this is another delay in a process that has taken years to come to fruition. It is precisely for that reason that the Council does not wish to jeopardise all the hard work that has taken place to reach today's position by forging ahead when it would not be able to achieve the maximum benefit from the scheme, should the winning scheme be at Royal Pier.

However, the Council has not yet made a decision on the matter. I would ask that any representation to the proposed course is set out with full particularity. In particular the representation should make it clear whether it is suggested that there is a legal impediment to this suggested course, and if so this should be set out in full so that the Council may take advice upon it immediately.

Yours faithfully,



Locum Licensing Officer  
for Head of Legal and Democratic Services

Item 4

**From:** Grout, Martin [mailto:Martin.Grout@southampton.gov.uk]

**Sent:** 07 October 2014 08:04

**To:** Roberts, David - MAN

**Subject:** Casino Licence Process Stage 2

Dear David

Please find attached a letter concerning a possible delay in the commencement of Stage 2 of the process. I would be grateful if I could have your comments as a matter of urgency and preferably no later than Friday 10th October.

Kind regards

Martin Grout

Item 5

**From:** Roberts, David - MAN [DavidNRoberts@eversheds.com]

**Sent:** 07 October 2014 10:11

**To:** Grout, Martin

**Subject:** RE: Casino Licence Process Stage 2

Dear Martin

Many thanks I will review and come back to you when I have taken instructions. In the meantime did you receive my email regarding the possible delay of last Thursday?

Kind regards

David

David Roberts  
Senior Associate  
For Eversheds LLP

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**Item 6**

Dear Martin

Following our conversation yesterday and in response to your email of the 7<sup>th</sup> October 2014, I am informed by my client that it is considering your correspondence but is not yet in a position to respond in light of this additional information. Genting are appreciative of your request for an urgent response however will not be in a position to respond until early next week.

Kind regards

David Roberts  
Senior Associate  
For Eversheds LLP

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Item 7



# GENTING CASINOS

UNITED KINGDOM

## By email and post

Licensing Team  
Southampton and Eastleigh Licensing Partnership  
PO Box 1767  
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[casino@southampton.gov.uk](mailto:casino@southampton.gov.uk)

17<sup>th</sup> October 2014

Dear Sirs

## Gambling Act 2005 – Large casino licence

We refer to your letter of 7 October 2014 formally asking for comments on the proposal by Southampton City Council (the "Council") to defer the commencement of Stage 2 of the application process regarding the grant of a large casino licence in Southampton ("Stage 2").

We do not feel able to comment fully on the proposed deferral ahead of receiving some important further information which we consider will be relevant to formulating our formal response. This information is reflected in the questions below.

1. Can you please explain the purpose of the meeting on 30 September 2014 between the Council and representatives for Kymeira, Lucent Group and Terence O'Rourke. Please include in your response an explanation regarding who instigated the meeting and the relationship between those represented at the meeting – both as between themselves and as between the attendees and the developer of the proposed site at Royal Pier, RPW.
2. Will you please provide further details of the representations received from Aspers and Grosvenor whom you state have also requested a deferral of Stage 2.
3. Can you please confirm that the notes of the meeting held on 30 September 2014 are complete and accurate. We raise this because some items appear incomplete; for example, the first bullet point states that Mr Nayak reported that *"they had been in discussions with all 4 operators that submitted Stage 1 applications"*. However, as is apparent from the Council's website, five applicants had proposed to site a casino in the Royal Pier development: Aspers, Genting, Global Gaming Ventures, Grosvenor and Kymeira.
4. We are also concerned that there may be a challenge to the Council's final decision given the apparent bias the Council has in favour of the casino being situated at Royal Pier. We have previously raised our concerns about the Council's bias in favour of Royal Pier (see, for example, our letter of 8 March 2013, a copy of which is attached). Indeed, as we were unable to obtain an assurance that the bias would be rectified, we took a decision to only apply for a licence for a casino at Royal Pier as to have made an additional application at another site would only have resulted in material wasted time and expense, particularly at Stage 2. For that reason, and as foreshadowed in our letter of 8 March 2013, *"it is likely that prospective applicants will consider that the successful application for the Proposed Licence is predicated on locating the casino at Royal Pier [and] that ... prospective applicants are likely to proceed on that basis"* which is

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30728667.3



precisely what we (and perhaps Aspers and Kymeira) did. More recent events have confirmed that our concerns about the Council's bias in favour of Royal Pier were well-founded. For example, when announcing the companies that had been successful at Stage 1, the Council's website noted that "*The new casino is likely to be located at the proposed £450 million Royal Pier development, although two of the seven bids were for different sites*". There is no basis on which SCC can make such a statement before Stage 2 had been completed (let alone before it has even commenced) and doing so confirms our concerns about the Council's bias. The comment about the likely location of the proposed casino goes even further than the comment in the last bullet point of the notes of the recent meeting that Royal Pier is the Council's "preferred site". We are therefore concerned that an unsuccessful applicant may seek a judicial review of the Council's decision if, as we expect, a licence is in due course awarded to an applicant to operate a casino at Royal Pier.

We hope you can appreciate why the comments above explain why we consider why we cannot properly comment on the proposed deferral of Stage 2 until we have received the answers to our queries set out at paragraphs 1, 2 and 3 above. Once we have received answers, we will be in a position to make our formal comments as requested.

In any event, given the issues identified in paragraph 4 above, we consider that – subject to the answers to our queries – the most appropriate course of action would in fact be to restart the whole application process, including re-opening Stage 1 applications. That would be likely to result in mitigating the possibility of the eventual outcome of Stage 2 of the current process being challenged. Although restarting the entire application process may result in further delay before a decision is announced, in the long run it may actually ensure that the people of Southampton can benefit from a new casino earlier than might otherwise be the case if doing so reduces the likelihood of a challenge to the outcome of the current Stage 2 process. As the Council's overriding objective must be the benefit of residents of Southampton, the Council may practically have no other option. For our part, in light of the information that has subsequently confirmed our suspicions, we based our evaluation of the best approach to Stage 1 on the Council's strong stated preference for Royal Pier, thereby effectively excluding other sites from any realistic prospect of success. In addition, if the clear bias of the Council in favour of Royal Pier were removed that might also reduce the likelihood of the Council's final decision being challenged on the basis that the Council had failed to ensure that the interests of residents of Southampton were adequately provided for. In this respect you will recall that we noted in our letter of 8 March 2013 that "*if it is widely expected that the Council will award the Proposed Licence to an application for a siting the casino at Royal Pier, that might reduce the number of applications and viable alternative proposals, thereby depriving the Council from considering a wider range of possibilities which might deliver better long-term benefits to the city of Southampton and its residents*".

Whilst restarting the entire application process may result in further delay before the Council's decision is announced, we do not consider that it will lead to any delay before the casino will actually open. This is especially true if Royal Pier is the site that is eventually chosen. That is because the works required for the Royal Pier site include land reclamation which has yet to begin, and so construction works appear to be several years away at the earliest. Therefore, the delay (if any) caused by restarting the Stage 1 application process will not lead to any detriment to the residents of Southampton as it will have no material (if any) impact on when a casino is likely to open even if Royal Pier is the chosen site.

We look forward to receiving answers to our queries as soon as possible, at which point we will respond promptly to the proposed deferral of Stage 2. Although you will understand that we must reserve all our rights should the Council decide to defer Stage 2 before we have had an opportunity to properly respond once in possession of all relevant facts, the outline of our expected overall position can be derived from this letter and we hope that will be helpful to the Council.

Yours faithfully,

enc.





Item 8

*LEGAL & DEMOCRATIC SERVICES*

**RICHARD IVORY, Solicitor,**

**Head of Legal and Democratic Services**

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Our ref:

Please ask for: Martin Grout

Your ref:

**Genting Casinos UK Ltd**

Genting Club Star City

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4<sup>th</sup> November 2014

Dear Sirs,

**GAMBLING ACT 2005 – GENTING CASINOS UK LTD; ROYAL PIER;  
MAYFLOWER PARK**

Thank you for your letter of 17<sup>th</sup> October concerning the above matter and I apologise for the delay in responding. This issue has divided applicants and we have sought advice from Leading Counsel as to how best to resolve the situation.

We have decided to convene a Licensing Committee meeting and are in the process of confirming the date and we anticipate this occurring in mid-December although I am sure that you will appreciate there are a number of diaries to check for availability. Each applicant will have an opportunity to address the Committee although we will be asking that written submissions are made such that they may be included within the final version of the committee report.

It will be for the Committee to decide on matters such as the delay and we propose to place all correspondence concerning the issue of the delay within the report. We will be writing to you in the next few days detailing the documents that we believe relevant to Genting and seeking confirmation that you agree with our view and secondly that you consent to them being included in the committee report as a public document. As mentioned above, we would also ask that you submit your written submission such that it can be included in the report.

I will also respond in more detail to your letter of 17<sup>th</sup> October as we are still seeking advice on its contents and anticipate being in a position to do so by next Monday 10<sup>th</sup> November at the latest.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. Cowd'.

Locum Licensing Officer  
for Head of Legal and Democratic Services

Item 9

**HEAD OF LEGAL & DEMOCRATIC SERVICES**

**RICHARD IVORY, Solicitor**

Southampton City Council  
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**FAREHAM**  
BOROUGH COUNCIL



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Please ask for: Mr R J Ivory  
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Your ref:  
Date: 7<sup>th</sup> November 2014

Dear Sirs

**GAMBLING ACT 2005 – GENTING CASINOS UK LTD; ROYAL PIER; MAYFLOWER PARK**

I refer to your letter of 17<sup>th</sup> October and my holding response. I am now in a position to answer the queries and comments that you have raised. I would wish to put on record that the Council found your letter helpful and is grateful that you have set out your concerns, both in terms of the immediate issue of the delay and also the longer term and the potential problems you feel may be looming on the horizon.

The first query you raised refers to the purpose of the 30<sup>th</sup> September meeting and how it was instigated and the various relationships involved. The request from Aspers, by a letter, dated 17<sup>th</sup> September, to delay the start of Stage 2 of the competition was the first time that we became aware of a potential issue with the RPW site. This was followed a couple of days later with an e mail from Rank with a similar request. Both of these requests were unsolicited.

The 30<sup>th</sup> September meeting was instigated by Pram Nayak of Lucent with the Council's Economic Development team arranged at a convenient date for the attendees. The details of the attendees have been listed in my earlier letter. Terence O'Rourke are the development advisors to Lucent. The fact that Andrew Cotton who, as you know represents Kymeira Casino Ltd, was present at the meeting was an error on our part in not distinguishing him as an applicant rather than the developer. In hindsight we realise that he should not have been part of the meeting.

Mr Nayak had been at the 4<sup>th</sup> September licensing committee meeting and had introduced himself to the Council officers. He was, he said, new to the development and was bringing himself up to speed and intending to meet with the applicants in the coming days. The sole purpose of the 30<sup>th</sup> September meeting was for the Council to be updated as to the present stage of the development project on the ground.

The notes of the meeting were prepared by Mr Nayak who had offered to prepare them. We believe that they accurately reflect the conversation that took place but have never been described as a verbatim record. As to Mr Nayak's comment about having had a meeting with the four applicants I am unable to comment as to why he stated that or why he made that comment in his note.

You then raise the issue of apparent bias that the Council has in relation to the RPW site.

The decision on the large casino application is to be made by the Licensing Committee. There is no basis for suggesting that the Committee is biased, actually or apparently. The Council has at all stages been transparent regarding the Royal Pier site.

2

Genting Casinos UK Ltd  
7<sup>th</sup> November 2014

This is clearly set out in paragraph 15.12 of the Gambling Act 2005 Statement of Principles and in paragraph 7.1 of the Procedure Note dated March 2013. Its interest in the Royal Pier site is clearly set out in the Register of Interests. Nevertheless, the Evaluation Criteria and Scoring Matrix sets out a neutral scoring system, enabling the merits of any site and any proposal to be fairly evaluated. There is no reason to suggest that the Licensing Committee is unable to exercise its judgment fairly against that background. Therefore, while this is ultimately a matter for the Committee, we make it clear that officers will not be recommending that the procedure be re-started.

I hope that this answers your queries that you have raised and, as indicated in my earlier letter, the specific issue of the delay has been referred to the Committee and all correspondence put before them. Any comments or observations that you wish to make further will be placed within the report subject to your consent.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Richard Ivory', with a long horizontal stroke extending to the right.

**Richard Ivory**  
**Head of Legal & Democratic Services**