

From the Chairman of the Casino Advisory Panel

2-4 Cockspur St
London SW1Y 5DH

10 October 2006

To: The Rt Hon Tessa Jowell MP
Secretary of State for Culture, Media and Sport

cc Richard Caborn

Madam,

1. I have the honour of presenting the third progress report of the Casino Advisory Panel.
2. The last report updated you on the publication of the provisional shortlists, and flagged up the forthcoming Examinations in Public.

Examinations in Public (EiPs) & other evidence gathering

3. The Panel undertook a series of EiPs from 29 August to 8 September 2006 in or near each of the areas short-listed for a regional casino. The round table discussions with invited interested parties, open to the media and the press, gave the Panel the opportunity to discuss relevant issues with a wide range of local organisations and individuals in favour – and in opposition to – the proposal for a casino in each area. The First EiP, for Greenwich but held in central London, attracted a degree of media attention and I appeared on Radio 4's Today programme and the BBC TV lunchtime London news. The Panel felt that the EiPs were a useful exercise, in that they provided useful additional evidence for it to consider as part of its deliberations.
4. In addition to the EiPs, the Panel posed a series of proposal-specific questions to all the authorities short-listed for a regional casino and, more recently, to all the authorities short-listed for a large or small casino. The questions were linked closely to the key lines of enquiry that framed the original questionnaire to all local authorities back in January this year. The answers will provide useful additional evidence for the Panel to consider as part of its further examination of these proposals.

Havering - Judicial Review

5. The Secretariat's submission to you of 1 September provided more details of the Judicial Review proceedings being taken against the Casino Advisory Panel by Havering Council, and the risk they potentially pose to the process.
6. Havering were relying on a number of grounds relating to the published process and failure to take account of relevant evidence in taking the action forward. They initiated proceedings on 24 August, seeking leave to challenge the Panel's decision not to include the Borough on the shortlist for the regional casino, just ahead of the deadline for their being able to do so. Attempts by Havering to force an early consideration of the case were dismissed by the Court, and the Panel was given the usual 21 days to submit grounds for resistance, a witness statement from

myself, and additional evidence in response to the allegations made. This was duly submitted on 15 September.

7. On 9 October the Judge in the High Court refused Havering leave to take the matter to Judicial Review on the grounds that their challenge was premature because our shortlists are as yet unfinalised (see paragraphs 8 and 9 below). In any case the Judge said that there were no arguable grounds for a challenge and that all the arguments I had set out in response to Havering's grounds were compelling. Havering have seven calendar days to challenge this decision if they so wish.

Current Work

8. I wrote to you on 20 July explaining how – following a misunderstanding regarding a Panel statement on the submission of additional evidence – the Panel decided to offer all proposing authorities the opportunity to provide new, compelling and previously unavailable evidence that would serve to reinforce their case. The deadline for submitting this information was 14 August 2006.

9. I shall be submitting a supplementary report to you shortly on revisions we are in the process of making to the shortlists in the light of the additional evidence submitted. You will wish to be aware, however, that since the last progress report, one short listed regional (Brent) and three short-listed large and small (Dartford, Thurrock and Canterbury) have withdrawn their proposals.

Reporting

10. On the basis that printed copies of reports should be available to all at the same time as our report is submitted to you, we need to allow time in our programme for the printing process which we are advised is at least a month and possibly longer. The Panel therefore seeks your agreement to the submission of its report at the end of January 2007, rather than the end of 2006 as earlier planned.

11. Our next report will be the Final Report.

I have the honour to be,

Madam,

Your Obedient Servant

A handwritten signature in black ink that reads "Prof. Stephen Crow". The signature is written in a cursive, slightly slanted style.

Prof Stephen Crow CB
Chairman of the Casino Advisory Panel