

CASINO ADVISORY PANEL

**Guidance Notes for Participants in the
Examination in Public of certain proposals for a
Regional Casino (Revised 2nd August 2006)**

August 2006

Guidance Notes for Participants in the Examination-in-Public of Certain Proposals for a Regional Casino (as revised)

Contents

	<i>Paragraph</i>
Background	1
Criteria for the selection of locations	7
Purpose and procedures	10
Publication of Information	
Accommodation	25
Panel tours	28
Examination–in-Public timetable	29
Conduct of the Examination–in-Public	33
Adjournment or Postponement of the Examination–in-Public	37
Annex A	Government Policy Statement , December 2004
Annex B	Questions asked in the Call for Proposals, January 2006
Annex C	N/A
Annex D	Duties of the Panel Secretary / EiP Manager
Annex E	Duties of the EiP Assistant

Background

1. The Casino Advisory Panel (‘the Panel’) has the duty to advise the Secretary of State for Culture, Media and Sport on the locations for new casinos in Scotland, Wales and England.

2. The Secretary of State has asked the Panel to assist her in the exercise of her order making powers under section 175(4) of the Gambling Act 2005 to determine the geographical distribution of casino premises licences. For this purpose, she is required to specify in an order which licensing authorities should be permitted to issue casino premises licences of a specified kind, and how many of each type of casino premises licence each specified local authority should be permitted to issue. Section 175 (1)-(3) sets out the overall limits for casino premises licences as no more than one regional casino, eight large casinos and eight small casinos. This note relates to the further examination of proposals for the one regional casino.

3. The Government expects that the regional casino will have a minimum total customer area of 5,000 m², and be permitted up to 1,250 Category A jackpot machines, which will be able to offer unlimited stakes and prizes.

4. The Government also expects that the regional casino will be a major development, offering clear potential for regeneration. It will provide not just a range of gambling activities, but may include hotel accommodation, conference facilities, restaurants, bars, areas for live entertainment and other leisure attractions, gambling activities and non-gambling leisure facilities. The Government believes that it will have the potential to bring in major investment and economic regeneration to the area where it is located.

5. On 24 May 2006 the Panel announced that the regional casino proposals of eight authorities would be shortlisted for further examination. Following an announcement on 24th July 2006, further authorities may be added to the shortlist and, if so, arrangements for further EiP will need to be made. At present, however, the shortlist is as follows:

Blackpool

Brent

Cardiff

Glasgow

Greenwich

Manchester

Newcastle

Sheffield

6. Further background details regarding the Panel, its activities, frequently asked questions, and latest news, can be found on the website:

<http://www.culture.gov.uk/cap/index.htm>

Criteria for the selection of locations

The Panel's task

7. The Panel's task is to recommend to the Secretary of State the area in which the regional casino would best be located. The criteria against which the Panel is assessing submitted proposals were set out in a national policy statement on casinos which was published by the Government on 16 December 2004. This statement is at Annex A. It must be noted, however, that this policy statement was issued while the Bill for what subsequently became the Gambling Act 2005 was before Parliament. The Bill at this stage proposed eight regional casinos, not, as was finally enacted, one.

Terms of Reference

8. The Panel's Terms of Reference (for all types of casino) also state that the primary consideration will be to ensure that locations satisfy the need for the best possible test of social impact. Subject to this, the criteria will also be:

- to include areas in need of regeneration (as measured by employment and other social deprivation data) and which are likely to benefit in these terms from a new casino;
- to ensure that those areas selected are willing to license a new casino.

9. Participants should know (or may wish to be reminded) that, in the light of the December 2004 Policy Statement and their Terms of Reference, the Panel developed a set of criteria-based questions (or key lines of enquiry) that they put to authorities and against which they continue to test proposals. These key lines of enquiry were published in the Panel's Call for Proposals at the end of January 2006 which is attached as Annex B.

Purpose and Procedures

10. This guide sets out the non-statutory procedures which will be followed, and practical advice for participants at the Examination in Public (EiP).

The purpose of the EiP

11. The main purpose of the EiP of a proposal for a regional casino is to provide an opportunity for the discussion and testing, in public and before the Panel, of selected matters (see paragraphs following). These matters will be selected by the Panel following its consideration of the proposals, the representations made, the responses received by the Panel to specific questions put to the short-listed local authorities and what it considers it needs to hear about in order to select the area to be recommended to the Secretary of State.

The matters to be discussed

12. The matters to be discussed at the EiP will be related to the Panel's remitted criteria and key lines of enquiry (see paragraphs 7 to 9 above), and their application to

the proposal being considered. National policy on casinos and gambling generally will not be discussed, as it must always be remembered that policy on the number and type of casinos is set out definitively in the Gambling Act 2005.

13. The Panel will write to all the short-listed local authorities with a specific set of questions relating to their individual proposals. Local authorities will have received these questions by e-mail on 19th July 2006 and are required to respond in writing to the Panel by **Monday 14th August 2006** at the latest.

14. Short-listed local authorities will also be required to submit a further, short statement to the Panel by **4 p.m. on Thursday 10th August 2006** summarising the key merits of the proposal with reference to the Panel's remitted criteria and key lines of enquiry. This statement should also seek to outline the local authority's response to any objections (of which it is aware) to the location of a regional casino in its area. The Panel requests that this statement is a maximum of 1500 words.

15. The Panel will consider all the information before it (including the further short statement referred to in the previous paragraph, the responses to specific questions asked of the local authorities and statements received from any person under paragraph 17 below applying to participate) and will then select the matters that it considers should be examined further. The short-listed local authorities will be notified as soon as possible in advance of the EiP of the matters selected by the Panel for further consideration and the Panel will endeavour to send this notification by 21st August 2006. The selected matters will also be published and forwarded to all others invited to take part in the EiP. This procedure will ensure that proposing authorities and other participants will have the opportunity of considering the matters selected by the Panel for further discussion or examination at the EiP.

16. As the EiP is directed to the discussion of selected matters, and not to the hearing of all representations, individual objectors to the proposals do not have an automatic right to appear. Participants have to be invited. The Panel will invite to the EiP representatives of the authority making the proposal, the appropriate regional bodies or appropriate bodies in Scotland and Wales and people and organisations selected from those making representations. Representatives of other shortlisted authorities may also be invited to participate, again if the Panel considers their representations to be relevant. The Panel may also invite others with special expertise on the subject in order to contribute to an understanding of the strategic issues.

Selecting participants

17. Any person who wishes to take part in an EiP (other than the local authority whose proposal is the subject of the EiP in question) must provide the Panel with a written statement of not more than 1500 words setting out their reasons why they should be invited to participate. Any such statement should be received by the Panel by **4 p.m. on Thursday 10th August 2006** at the latest. The main criterion for selecting participants will be the significance of the contribution they can be expected to make to the discussion, having regard to their knowledge and expertise and/or the views they have already expressed. The Panel will ensure it does not invite so many participants as to preclude meaningful debate. To assist in this it is important that co-ordinated representations by voluntary groupings of interests are made where there is a common objective and a lead representative identified rather than all interests putting themselves forward as potential participants. The Panel would welcome suggestions from proposing authorities as to who should be invited to participate. The aim will be to select

participants who between them represent a broad range of viewpoints and have a relevant contribution to make thereby enabling an equitable balance of differing viewpoints to be achieved in the discussion of the proposal before the Panel. The Panel has no power to require attendance by any person at the EiP.

Participants' expenses

18. People attending the EiP will be expected to meet their own expenses, although, as an exception to this general rule, the Panel may, at their discretion, meet reasonable travel and subsistence claims from any private individuals invited and appearing on their own behalf (not as a representative of an organisation or a participant's adviser), and from representatives of voluntary organisations who can demonstrate to the satisfaction of the Panel that they are unpaid volunteers. In the latter cases, letters from the voluntary organisations concerned will be required to verify this.

Equal opportunities

19. With regard to allowing equal opportunities for all, every effort will be made by the Panel to permit ordinary members of the public to participate fully when they are invited. The Panel will also make reasonable endeavours to provide for people whose first language is not English. Requests for interpretation facilities should be made as early as possible and by 25th August 2006 at the latest, or, alternatively, an interpreter should accompany the participant concerned.

Welsh Language

20. In Wales, if required participants wishing to participate using the Welsh language will be permitted to do so, and facilities for the translation of documents and interpretation will be provided.

Publication of information

21. Once the Panel have selected the matters for consideration at the EiP and finalised the list of participants who have been invited to take part, the Panel Secretary will arrange for this information to be available to the public on its website. The information will include the names of the Chair and the other Panel members as well as the date and place of the EiP. It will be published as soon as possible in advance of the EiP. Where possible, the announcement will provide an indicative timetable for the consideration of the selected matters.

22. This information will also be sent by the Panel Secretary to the selected participants together with an invitation to them to take part. This will give them an opportunity to confirm that they wish to attend.

23. All statements and any supporting documents required under this guidance should be submitted no later than the dates specified in this guidance. They should be forwarded to:

Ms Valerie Curtis

Head of the Casino Advisory Panel Secretariat

c/o DCMS, 2-4 Cockspur Street

London SW1Y 5DH

(e-mail: Valerie.Curtis@culture.gsi.gov.uk).

If submitted later than the dates specified in this guidance, the Panel, save where the further information is provided in response to a request from it, will not normally take them into account. Participants should provide sufficient copies, as prescribed by the Panel, of submitted statements and supporting documents for circulation to other participants before the EiP begins. Circulation of documents will also be assisted by the Panel Secretariat circulating e-mail addresses of participants or preferably by itself placing any electronic copies of documents received on the internet.

24. As all proceedings at the EiP will be in public and all submitted documents will be in the public domain, the Panel is not prepared to consider any material in confidence. The Panel will expect participants to have read the documents relevant to a particular session and the examination will proceed on the assumption that they have done so.

Accommodation

Locations of EiP Sessions

25. Each shortlisted proposal will be examined at a session dedicated to that examination, making eight sessions in all. In respect of the two proposals in London the sessions will be located in Central London, or, in respect of the others, in the area of the proposing authority. Local authorities will not be expected to book venues themselves, but may be asked for advice in identifying suitable venues.

The venues

26. The accommodation will be selected in order to facilitate a “round table” discussion together with public seating (see paragraph 33 below on the conduct of the examination). It will comprise a hall or room where the main discussion between the Panel and the participants can take place and where members of the public and the press will be able to observe. Adequately equipped ancillary rooms will be necessary in the form of a large room for the secretariat (since the Panel Secretary will need other staff support during the examination), a room for the Panel to work in and retire to during adjournments, and one or more rooms for participants’ discussions. Suitable copying and IT facilities will be in the secretariat room. Security storage will be made available for Panel papers. An important consideration will be the need for ready and convenient access and facilities for people with disabilities. The venues will be chosen also so as to provide for people with hearing impairment. If possible a ‘loop’ system will be in place. If possible, public telephones for the use of participants will also be available. A table and seating will be set aside for the Press. Provision will also be made for a document room that will be accessible to the public. It will contain copies of the eight shortlisted proposals and other submitted papers.

Public Address System and Recording Equipment

27. A good public address or amplification system will be provided for the efficient operation of the EiP proceedings. It will be linked to recording equipment so that a full recording of the proceedings can be made available to the Panel and subsequently made available for public purchase. Participants will be asked to announce themselves each time they speak so that they can be identified on the recording.

Panel Tours:

28. The Panel will make a tour of each area before, after and/or possibly during the EiP to give themselves a general feel for the area and the issues raised. The proposing authority and participants may, however, draw the attention of the Panel in writing or e-mail if there are any particular locations that they wish the Panel to visit, and the Panel will visit them if it is convenient for them to do so and they consider such a visit to be important to their understanding of the issues before them.

Examination-in-Public Timetable

29. The need for an efficient and expeditious EiP has to be balanced against the need for a thorough discussion of the selected matters. The aim will be to ensure that participants feel satisfied that they have had a fair hearing and that the Panel has given serious consideration to their statements and points of view.

30. The duration of each session will normally be within the equivalent of one day, for example between 0930hrs and 1530 hrs. A break will be taken for lunch. The Panel and its supporting staff will have a considerable amount of work to do before and after each day's session, and will also need to travel between venues. To speed the production of their report, it is likely that the Panel will spend time each evening discussing their interim conclusions on the day's proceedings. The programme is being scheduled to finish early enough to allow time for this evening work. In some instances, The Panel will need to close the proceedings in sufficient time for them to travel to the next venue.

31. The programme for the EiP sessions is expected to be:

Tuesday 29th August 2006 late morning and afternoon: Brent;
Wednesday, 30th August 2006, morning and early afternoon: Greenwich;

Friday, 1st September 2006, morning and early afternoon: Cardiff;
Monday, 4th September 2006, morning and early afternoon: Glasgow;
Tuesday, 5th September 2006, morning and early afternoon: Newcastle;
Wednesday, 6 September 2006, morning and early afternoon : Sheffield;
Thursday, 7 September 2006, morning and early afternoon: Manchester;
Friday, 8 September 2006, morning and early afternoon: Blackpool.

32. Visits to the area will be made where possible within this programme, but it may be necessary for them to be at other times. Details of the programme and, (where available) the itinerary of the visits, will be published nearer to the event.

Conduct of the Examination-in-Public

33. The EiP will be conducted in an informal manner to create the right atmosphere for discussion. A "round table" arrangement is normally followed. Debate of the issues rather than the reading out of prepared position statements is essential, particularly since written statements will have been circulated before the EiP (see paragraph 23 above). The Panel will encourage discussion on the key points of contention in relation to each issue. In exploring these points the Panel will often need to go beyond

submitted material and lead the debate. The Panel will, therefore, pursue “inquisitive chairing” rather than allow a general airing of views which would not be a productive use of examination time. In conducting the discussion, the Panel will ensure there has been sufficient discussion of the selected topics and sufficient information obtained so that properly informed recommendations can be made about them.

34. Some participants may wish to present their views on the selected matters through an agent or adviser. However, it is essential that this does not undermine the informal nature of the EiP. Formal legal advocacy and cross-examination is wholly inappropriate to a “round table” type discussion and will not be permitted. The local authority whose proposal is being examined will be expected to have a key spokesperson at the table representing it. However, the key spokesperson will be able to draw on the expertise of other representatives who attend on behalf of the local authority and, in some cases, ask any such representative to respond to a question or discuss an issue that has arisen during the EiP.

35. Following an introduction by the Panel, the local authority will be permitted to make a brief opening statement (reflecting the contents of the written statement required under paragraph 14 above) that summarises the local authority’s proposal. The proposing authority or a lead objector will then be asked to start the discussion on a selected matter. The Panel may encourage groups of participants to meet away from the main table during breaks in proceedings to meet informally and resolve differences.

36. Every effort should be made by participants not to introduce new material during the EiP. The Panel may refuse to accept it, especially if it could reasonably have been provided earlier and, in their view, it would impose an unacceptable burden on the proceedings given the lack of time which the Panel and other participants have to consider it. However, there may be occasions where the Panel needs additional information to be provided to enable it to complete its consideration of a matter.

Adjournment or Postponement of the Examination-in-Public

37. Exceptionally the Panel may decide that the EiP should be adjourned or even postponed. For example, this may be necessary should really important new information come to hand during the examination requiring consideration by the Panel and participants prior to discussing the related matter at the examination. Though unlikely, this could include vital new factual information or perhaps a new national policy statement that concerns the Panel’s work.