

CASINO ADVISORY PANEL

MINUTES OF MEETING

Friday 28th October 2005 from 10:45am
Room L19 DCMS, 2-4 Cockspur Street, London SW1Y 5DH

Present

Andy McLellan (item 1 & 2 only)
Prof. Stephen Crow (Chair) (SC)
Chris Collison (CC)
James Froomberg (JF)
Neil Mundy (NM)
Deep Sagar (DS)
Jane Bransby (Secretary) (JB)

1. Chairs opening remarks:

Professor Stephen Crow welcomed the new members of the Panel and gave an outline of the day's business.

2. Welcome and introduction to DCMS

Andy McLellan, Head of DCMS Gambling Division welcomed the Panel and spoke briefly about what the Department hoped the Panel would achieve. He also explained that the Department hoped to be a support and aid to the Panel when needed but emphasised the Panel's necessary independence and 'arm's length' approach. He was not present for the remainder of the meeting.

3. Domestic Items including: payment of fees, T&S, Tax status, frequency and location of Panel meetings

The Secretary updated the Panel on domestic procedures and discussed a specific tax issue.

The Panel then considered the frequency and location of future meetings. It was agreed that although Panel members were widely spread around the country it was still, on balance, most convenient to have the majority of future meetings in London. This did not, however, rule out the possibility of holding meetings elsewhere, especially if members should have reason to travel elsewhere during the evaluation of proposals. It was agreed that DCMS offices should be considered a default meeting place but that the Secretary would endeavour to secure other meeting places whenever possible. JF said there was a possibility of using a British Waterways office in Paddington. The Secretary agreed to follow this up.

It was agreed that due to Panel members' full diaries it would not be convenient to set a specific day each month for Panel meetings. However, it was agreed that it was best to try to plan for a Panel meeting to take place each month. Members concurred that this did not mean that there should definitely be a

meeting every month but rather there would be times when there may be need of more than one, and times when communication by phone and email would be sufficient.

4. Adoption of Code of Practice (including dealing with Conflicts of interest) and Framework Document

The panel formally agreed to adopt the Code of Practice for working. They did, however, request clarification from the DCMS legal team on the public liability clause. The Secretary agreed to follow this up. The Panel agreed that the Code of Practice would be published in full on the Panel website <http://www.culture.gov.uk/cap/guiding.htm>

The Panel also agreed to maintain a register of conflicts of interest which is available to the public on request. It was agreed that this should be maintained by the Secretary and each member would notify her immediately of any conflicts arising. Initially the Panel would be required to sign a formal declaration of interest.

The Panel then discussed a draft paper 'Framework procedural Rules' (now published in full on the CAP website: <http://www.culture.gov.uk/cap/frame.htm>)

Specific points discussed:

5. Legal Framework

The DCMS legal team had put together a paper explaining the legal background of the Act and the legal framework in which the Panel should operate. It dealt with both policy and legal considerations. Because it recorded legal advice the Department had received, it was requested that this paper remained confidential, should not be disclosed by members of the panel and should not be made available to the public.

The Panel agreed that they would not accept this paper as legal advice pertaining to the Panel as it had already been agreed that the Panel should take legal advice from outside the Department to ensure independence. However the Panel thanked the legal team for providing useful background material on the situation prior to the Act being implemented.

6. Communications (including website and library)

The Secretary updated the Panel that there should soon be a website operating as a mini-site from the main DCMS website. This would have a DCMS URL and discreet branding but will not look like the main DCMS site in order to emphasise the Panel's independence from the Department. It was agreed that it would be a plain working site where the Panel would be able to publish papers and reports etc. and make available information for the public. The Secretary agreed to keep Panel members informed of the progress of the website development. It was also agreed that the Secretary would be responsible for ensuring the website was fully functioning and up to date.

As outlined in the Framework document, it was agreed that press assistance should be obtained outside the main DCMS press office to maintain the Panel's independence. Unfortunately, unlike legal help (which comes from a central DCMS budget), press assistance is not funded and at the moment is expected to be paid from the Panel's budget. The Panel agreed that support for pro-active press work would be sought outside DCMS at times of need. Day to day press queries would be handled by the Secretary. The Panel also agreed that the Chair, Professor Crow, should be the main spokesperson for the Panel.

The Panel agreed that it is required to make its recommendations with utmost transparency. This included making available to the public the evidence submitted by applicants and the criteria used for decision making. It was agreed that the website would be the best place to make the majority of material available. This would necessitate most, if not all applications and supporting evidence to be made electronically or scanned for this purpose.

7. Budget

The Panel currently has a small budget for the remainder of this financial year sufficient to cover fees and expenses. It is expected that a similar budget will be made available for the remaining 6-8 months of the panel's life in the coming financial year. The Panel discussed the likely costs of completing the project. They agreed that a case needed to be made for additional monies to be made available in the coming year as this would clearly affect the scope of what the Panel is able to offer in the way of conferences etc. in the summer. The Secretary agreed to follow this up with DCMS.

8. Project outline document

The Chair supplied a draft project outline (now published in full on the website: <http://www.culture.gov.uk/cap/documents/Project-Outline30-01-06.pdf>) with initial thoughts as to how the Panel may set out the programme of work up until its recommendations are made. He invited Panel members to give their thoughts and comments on how the project should run and how deliberations should be made. He wished to make it clear that this was only to be taken as an early working document.

Criteria and Process

The Panel discussed how the tendering stage should be handled and whether or not it should be a single stage process. Examples were given from previous members' experiences. They also discussed the legal aspects of a multi-stage process and the danger of rejecting applicants at an early stage which may lead to legal action and /or injunction to be taken against any early decision.

The Panel agreed unanimously that the crucial need was to get the criteria right, against which the applications would be evaluated. They also agreed the need to be clear and unambiguous to potential applicants about what the Panel will be expecting from applications. The Panel agreed that applications should be limited to specific evidence in order to make the process manageable and fair.

The Panel agreed that this was one of the hardest, and most important areas of work to be done. They also agreed that it was still too early in the process to make decisions on specific criteria and that further scoping and research was necessary before any such decisions were taken. The Panel agreed to brainstorm some initial ideas which could be discussed in greater depth at forthcoming meetings.

Conferences

The Panel discussed the possibility of holding 'conferences' in specific regions as part of the evaluation process to allow for open and detailed discussions with a wider group of stakeholders for proposed locations. It was agreed that this could be a useful way of engaging with stakeholders and in determining detailed information for specific locations. The Panel also discussed the danger of meeting 'unilaterally' with individuals or organisations and how such meetings may be perceived. It was agreed that the Panel would encourage open communication by letter from any interested parties but that the conferences may be a better vehicle for face to face meetings.

Time-table

The Panel agreed a broad time-table of work:

- (by end January 2006)
Scoping and research; consideration of selection criteria; consultation with stakeholders; programming; invitation to submit formal proposals
- (by end March 2006)
Closing date for submission of formal proposals
- (by end of summer 2006)
Complete examination and evaluation of proposals
- (by mid December 2006)
Consideration and Report to the Secretary of State

Research and scoping

The Panel agreed that it was a good idea to bring in an outside researcher to undertake a library search as background to the Panel's task and produce a summary report of research material on casinos and community regeneration effects in the UK and internationally. The Secretary agreed to check civil-service procedures for short-term contracts and they Chair agreed, if HR were content, to look at post-graduate options at University.

The Panel also agreed that as part of the initial scoping it was important that we fully understand the market place and the likely level of interest in the different types of casino. It was felt that although the regional casino was the type most likely to attract press interest, the small and large types of casino may be of more

interest to some areas. The Panel agreed that a greater understanding the level of interest may help clarify how the process would best be handled.

The Panel agreed that in order to try and determine the levels of interest, letters should be sent to every Local Authority (in England, Scotland and Wales) with a short questionnaire, asking them to reply, without commitment on either side, giving an indication of whether they were interested in applying for one of the casinos and in which type they would be interested. The questionnaire should also allow for LAs to indicate whether they would be interested in a smaller casino if they were initially unsuccessful for a regional or large.

The Panel also agreed that letters should be sent simultaneously to RDAs, County Councils, Regional Assemblies etc. to ask them for any initial thoughts they may have had regarding potential locations in their area. The Secretary agreed to arrange for the letters to be sent as quickly as possible in order to give respondents sufficient time to reply.

9. Date of next formal meeting

The Panel agreed that its next formal Panel meeting would take place on Monday 19 December at the DCMS offices.