

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,
PO Box 1767, Southampton, SO18 9LA**



Direct dial: 023 8083 2749

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

Our ref:

Please ask for: Martin Grout

Your ref:

Bond Dickinson LLP
3 Temple Quay
Temple Back East
Bristol
BS1 6DZ

14th November 2014

Dear Sirs,

**GAMBLING ACT 2005 – GLOBAL GAMING VENTURES APPLICATIONS
AT: ROYAL PIER; WATERMARK DEVELOPMENT**

Further to my letter of 10th November I am pleased to confirm that the Licensing Committee has been arranged for Tuesday 16th 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. O.' or similar, written in a cursive style.

Locum Licensing Officer
for Head of Legal and Democratic Services

APPENDIX 1

GLOBAL GAMING VENTURE'S APPLICATIONS

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

		Date	Time
1.	e mail Martin Grout to Ewen Macgregor	5/9/2014	10.08
2.	e mail Martin Grout to Ewen Macgregor	30/9/2014	15.40
3.	Letter Ewen Macgregor to Martin Grout	2/10/2014	
4.	e mail Ewen Macgregor to Martin Grout	6/10/2014	7.15
5.	e mail Richard Ivory to Ewen Macgregor	6/10/2014	12.00
6.	e mail Martin Grout to Ewen Macgregor	7/10/2014	08.04
7.	Letter SCC to Bond Dickinson	7/10/2014	
8.	Letter SCC to Bond Dickinson	7/10/2014	
9.	e mail Ewen Macgregor to Martin Grout	7/10/2014	14.28
10.	e mail Ewen Macgregor to Martin Grout	8/10/2014	17.54
11.	Letter Richard Ivory to Ewen Macgregor	9/10/2014	
12.	Letter Ewen Macgregor to Richard Ivory	10/10/2014	
13.	Letter Ewen Macgregor to Chief Executive	29/10/2014	
14.	Letter Martin Grout to Ewen Macgregor	10/11/2014	

Item 1**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 11th 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 19th 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 6th October with a closing date of 6th January 2015

Kind regards

Martin Grout

Locum Licensing Officer

Licensing Department

Legal and Democratic Services

Southampton and Eastleigh Licensing Partnership

Southampton City Council

□ martin.grout@southampton.gov.uk

Tel: 023 8083 2749

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post: Licensing - Southampton City Council

Item 2

e mail to Ewen Macgregor dated 30th September 2014 15:40

Dear Ewen and Joanne

Please find attached the draft notices that will be sent to you once they are formally signed. I apologise for the delay in getting them to you and I would be grateful if you could check that they match your expectations as soon as possible. I will then ask the Licensing Manager to sign them and send the copies out to the relevant people and bodies.

Two of the applicants have enquired about the Council postponing the commencement of Stage 2 and I should say that the Council are minded to agree to this. We will be in a position to confirm this hopefully by the end of the week and would be looking to commence Stage 2 in April 2015. We have been in discussion with the developer and understand the reasons why a delay should be implemented. Could you confirm whether GGV would be in agreement with this approach and if there are any objections to this, please let me know what they are and how they affect the process.

Kind regards

Martin

Martin Grout
Locum Licensing Officer
Licensing Department
Legal and Democratic Services
Southampton and Eastleigh Licensing Partnership
Southampton City Council

Item 3



www.bonddickinson.com

URGENT – BY EMAIL AND POST

Martin.Grout@southampton.gov.uk

Martin Grout Esq.
Locum Licensing Officer
Licensing Department
Legal and Democratic Services
Southampton and Eastleigh Licensing Partnership
Southampton City Council
Civic Centre
Southampton SO14 7LY

2nd October 2014

Dear Sir

Southampton City Council

Large Casino Licence Competition – Possible Delay

Gambling Act 2005

We refer to your email of 30th September.

We have now been able to take instructions from our clients, GGV (Southampton) Limited and GGV (RP) Limited. For convenience, we are submitting a single letter on behalf of both clients, although you will readily recognise that there are two separate applications.

Our clients are extremely concerned to hear that the Council is considering permitting a further delay to the casino competition. We are instructed to make it absolutely clear to you that our clients do not agree to this and that they reserve all rights in relation to this matter.

We remind you that the licence issue process in Southampton has been slower than in any of the other 'Large' category licences and has already taken several years. We can see no justifiable reason for a further delay particularly as we are now part way through the competition process.

Our clients would also be most concerned if it transpired that any such delay were designed to benefit one project over another. In this context it is surprising that your email makes reference to your being in discussion with 'the developer'. Could you please inform us as to which developer you are referring to?

The legal process for running the casino competition and issuing the licence under the Gambling Act 2005 is not a tactical tool to be utilised to favour one applicant or project over another. You will be

aware that the licensing authority must ensure that each application is determined by the licensing authority according to criteria which are not preselected to favour a particular application or applications (**DCMS Code of Practice section 3 para 3.2.3**)

It follows that the Council must not make a decision to delay based on the submissions of certain applicants without giving the other applicants due opportunity to respond and have their views heard.

To that end, in order to respond properly, we require to know urgently:

1. Which applicants have asked for the delay?
2. What reasons the applicants have given for asking for such a delay?
3. What is the basis for selecting a delay period of six months?
4. What reasons Southampton Council has for agreeing to a delay?

We would also like copies of any correspondence with and notes of any meetings or other discussions with the applicants concerned or with 'the developer' to which your email refers.

We are instructed to emphasise that our clients consider the Council's suggestion of a delay to be very troubling.

Accordingly, our clients wish to make it clear that they fully reserve their position with regard to any possible courses of action that may be open to them.

We look forward to hearing from you as a matter of urgency.

Yours faithfully

Bond Dickinson LLP

Bond Dickinson

Item 4

-----Original Message-----

From: Macgregor, Ewen [mailto:ewen.macgregor@bond Dickinson.com]

Sent: 06 October 2014 07:15

To: Grout, Martin

Cc: Casino

Subject: Southampton Large Casino Process - Gambling Act 2005

Importance: High

Dear Sir

We refer to our letter of the 2nd October to which we have so far received no response.

We wish to inform you that our clients are continuing to proceed on the basis that the Stage 2 part of the competition process has now commenced.

My client expects and trusts that it will be fairly, properly and expeditiously conducted in accordance with the timetable and methodology previously announced by the Council.

Yours faithfully,

Bond Dickinson

Item 5

From: Ivory, Richard on behalf of Casino

Sent: 06 October 2014 12:00

To: Macgregor, Ewen

Cc: Casino; Grout, Martin

Subject: RE: Southampton Large Casino Process - Gambling Act 2005

Follow Up Flag: Follow up

Flag Status: Yellow

Dear Mr MacGregor,

Thank you for your letter received last Thursday.

As you may anticipate we have been in urgent conversation with Leading Counsel regarding this issue and will be writing to all Provisional Statement holders later today.

Yours sincerely

Richard Ivory, Solicitor

Head of Legal and Democratic Services

Southampton and Fareham Legal Services Partnership

Southampton City Council

Tel: 02380 832794

Fax: 02380 832308

Email: richard.ivory@southampton.gov.uk

Item 6

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

Sent: 07 October 2014 08:04

To: Morgan, Joanne

Cc: Macgregor, Ewen

Subject: Casino Licence Process Stage 2

Dear Sirs

Please find attached two letters 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. The attachment relates to both letters.

Kind regards

Martin Grout

Item 7

LEGAL & DEMOCRATIC SERVICES

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

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Direct dial: 023 8083 2749

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

Our ref: 2014/02561/70SLCP

Please ask for: Martin Grout

Your ref: JMM1/JMM1 /380274.2

Bond Dickinson LLP
3 Temple Quay
Temple Back East
Bristol
BS1 6DZ

7th October 2014

Dear Sirs,

GAMBLING ACT 2005 – GLOBAL GAMING VENTURES (RP) LTD; ROYAL PIER; MAYFLOWER PARK

Further to my e mail on 30th 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 30th 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 detail 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 8

LEGAL & DEMOCRATIC SERVICES

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

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Direct dial: 023 8083 2749

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

Our ref: 2014/02566/70SLCP

Please ask for: Martin Grout

Your ref: JMM1/JMM1/380274.1

Bond Dickinson LLP
3 Temple Quay
Temple Back East
Bristol
BS1 6DZ

7th October 2014

Dear Sirs,

GAMBLING ACT 2005 – GLOBAL GAMING VENTURES (SOUTHAMPTON) LTD; WATERMARK DEVELOPMENT

Further to my e mail on 30th 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 30th 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
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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.

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- 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 9

-----Original Message-----

From: Macgregor, Ewen [mailto:ewen.macgregor@bonddickinson.com]

Sent: 07 October 2014 14:28

To: Grout, Martin

Subject: Southampton CC Large Casino Licence Process Gambling Act 2005

Importance: High

Dear Sir

We acknowledge receipt of your letters and enclosure. Our clients continue have a number of serious concerns.

To enable us to respond substantively can you please confirm what procedure the authority proposes to adopt in deciding whether or not to interrupt and delay the casino competition process, the Stage 2 part of which has now commenced.

Until such time as a decision to delay the process has been properly made by a competent body of the authority, please be advised that our clients will continue to proceed on the basis that the Stage 2 part of the competition process is underway in accordance with the previously announced timetable.

We look forward to hearing from you as a matter of urgency.

Yours faithfully,

Bond Dickinson

Item 10

From: Macgregor, Ewen [ewen.macgregor@bonddickinson.com]

Sent: 08 October 2014 17:54

To: Grout, Martin; Morgan, Joanne

Subject: Casino Licence Process Stage 2 [BD-4A.FID26072502]

Importance: High

Follow Up Flag: Follow up

Flag Status: Yellow

Good evening

We refer to your letters of the 7th October in which the council indicated that they expected a substantive response by Friday 10th October.

We have still not received a reply to our email of the 7th October. Can we please have an immediate response so as to avoid any further potential delay?

Ewen Macgregor

Partner

for and on behalf of Bond Dickinson LLP

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Item 11

LEGAL & DEMOCRATIC SERVICES

**RICHARD IVORY, Solicitor,
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E-mail: richard.ivory@southampton.gov.uk

Our ref: 2014/02561/70SLCP

Please ask for: Richard Ivory

Your ref: JMM1/JMM1 /380274.2

Bond Dickinson LLP
3 Temple Quay
Temple Back East
Bristol
BS1 6DZ

By e mail only

9th October 2014

Dear Sirs,

**GAMBLING ACT 2005 – GLOBAL GAMING VENTURES (RP) LTD; ROYAL
PIER; MAYFLOWER PARK and GLOBAL GAMING VENTURES
(SOUTHAMPTON) LTD**

I refer to the Council's letter of 7th October whereby we have laid out the reasoning behind the possibility of deferring the commencement of Stage 2 of the Large Casino Licence process. In your e mail of 7th October you have raised the following issues and asked

To enable us to respond substantively can you please confirm what procedure the authority proposes to adopt in deciding whether or not to interrupt and delay the casino competition process, the Stage 2 part of which has now commenced.

Until such time as a decision to delay the process has been properly made by a competent body of the authority, please be advised that our clients will continue to proceed on the basis that the Stage 2 part of the competition process is underway in accordance with the previously announced timetable.

I am somewhat surprised at the stance that is being taken. I believe that the Council's previous letter gave a full and satisfactory explanation of the

position and while it is not an ideal position to be in, the Council has no reasonable alternative than to take this course of action.

The Council anticipated that that the whole process would be one where each applicant could feel comfortable working with the Council to develop a successful Stage 2 competition. The prospect or threat of a challenge of any nature at this stage appears to be unfortunate and totally unwarranted.

The decision to defer the commencement of Stage 2 is within my delegated powers and the specific extract from the Council's Constitution is as follows:

1.2 DIRECTORS AND HEADS OF SERVICE

1.2.1 If a function, power or responsibility has not been specifically reserved to the Council, a Committee or the Executive, the Head of Service within whose remit the matter falls is authorised to act.

1.2.2 The Council, its Committees and the Executive will make decisions on matters of significant policy. Heads of Service are given express authority to take all necessary actions to implement Council, Committee and Executive decisions that commit resources within agreed budgets in the case of financial resources, as necessary and appropriate.

1.2.3 Heads of Service are empowered to take all routine and day-to-day operational service decisions within agreed policies provided they are met from within overall approved budgets in relation to the services for which they are responsible, subject to any other requirements imposed by the Constitution (eg Financial Procedure Rules).

This clearly devolves the power to make the decision to defer Stage 2 to myself as Head of Legal and Democratic Services as the Licensing function is within my remit. It does however have the backing of the Leader of the Council.

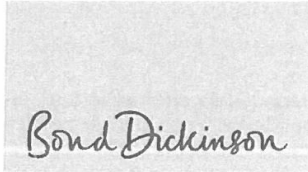
I would reiterate the comments in our letter of 7th October as to the reasons behind such a decision. The application pack makes it very clear that the timetable has at all times been indicative only and in fact, states clearly that when the Council is ready to commence Stage 2, it will invite applicants from Stage 1 to participate in Stage 2 of the process. It is worth highlighting that no such invite has been made yet and for the avoidance of doubt, Stage 2 of the process has not yet commenced.

In addition the Notice of Grant of an Application for a Provisional Statements have yet to be sent to applicants and the appeal period against decisions is yet to expire. Lastly, as part of the Application Pack the Council is to consult on the composition of the Advisory Panel. Both of these actions will follow shortly. On these two procedural grounds alone it is not feasible to commence Stage 2.

A formal decision on timing will be made by the end of the week and communicated to all interested parties.

Yours faithfully,

Head of Legal and Democratic Services



10 October 2014

Richard Ivory, Solicitor
Head of Legal and Democratic Services
Southampton and Fareham Legal Services Partnership
Southampton City Council
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SO14 7LT

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Direct: +44 (0)845 415 6647

Our ref:
EDM1/NAO1/380274.1
Your ref:

By Email Only: richard.ivory@southampton.gov.uk

Dear Sir

**Southampton City Council – Large Casino Licence Competition - Gambling Act 2005
Possible Delay**

We acknowledge receipt of your letter of the 9th October.

Our clients continue to have the most serious concerns about the way that this matter is being handled.

We wish to make the following points:

1. We are disappointed that you are unable to see why it is quite unsatisfactory for an officer, who is a longstanding publicly declared supporter of a particular scheme, to meet privately, during the competition, with the developer of that scheme to discuss how best to improve the prospects for such scheme in the competition. Furthermore, the proposal that this officer would then take an important decision in accordance with the chosen developer/applicant's request with the principal purpose and effect being to benefit the said developer and its scheme to the disadvantage of other schemes and applicants is unacceptable for a number of reasons.
2. Our clients' view is that private meetings by Council officers involved in the competition process with individual applicants during the competition process are undesirable anyway and, as a minimum, may give rise to an appearance of impropriety regardless of the outcome.
3. In this context we would like to know when and why the note of the meeting with Lucent on 30th September was prepared and who contributed to the drafting? Please provide to us any manuscript notes taken during this meeting.
4. The question as to whether an officer has the authority to take a decision under Council delegation policies (and we reserve our position on this) is separate from whether it is proper (and indeed lawful) for him or her to take such a decision. As you are aware the Code of Practice governing the Gambling Act 2005 process makes it clear that the licensing authority *"must...ensure that each application is determined according to criteria which are (inter alia) not preselected to favour a particular applicant or application"*. Furthermore, the principles go on to state that *"a licensing authority must ensure that any pre-existing contract, arrangement or other relationship they have with any person does not affect the procedure so as to make it unfair (or appear unfair)"*.(Our emphasis.)

5. You state in your letter of 9th October that the Council had 'no reasonable alternative than to take this course of action'. Our clients submit that this is incorrect. The Council was and is perfectly free to continue the competition in accordance with the announced timetable. Please explain why this is not an entirely fair and reasonable alternative.
6. We would like you to confirm that the sole objective of delaying the competition would be to permit the Royal Pier schemes to become stronger than the other schemes and therefore more likely to win the competition and/or to allow the developer more time to manage a competitive process amongst the Royal Pier applicants and thereby obtain a better economic deal for itself.

In the circumstances we request that the determination of the proper start date for Stage 2 is referred to the licensing sub – committee and that they be respectfully requested to convene as a matter of urgency for this purpose.

We look forward to hearing from you.

Yours faithfully



Bond Dickinson LLP

Copy to

1 Casino@southampton.gov.uk



www.bond dickinson.com

29 October 2014

Bond Dickinson LLP

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DX 200561 Bristol Temple Meads

joanne.morgan@bond dickinson.com
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Our ref:
EDM1/JMM1/380274.1
Your ref:

Ms Dawn Baxendale
Chief Executive
Southampton City Council
Civic Centre
Southampton, SO14 7LY

By email only: - dawn.baxendale@southampton.gov.uk

Dear Madam

SOUTHAMPTON CITY COUNCIL – LARGE CASINO LICENCE UNDER THE GAMBLING ACT 2005

We are instructed by Global Gaming Ventures (Southampton) Limited and Global Gaming Ventures (RP) Limited who are applicants in the competition for the Large Casino licence in Southampton.

Our clients' applications at stage 1 of the competition, which were considered by the Council's Licensing Committee on the 4th September 2014, were granted. These applications, along with all of the other stage 1 applications, proceeded to stage 2 of the process.

Following completion of stage 1 the Council re-confirmed its intention to commence stage 2 of the process on the 6th October 2014, as set out in the Council's own procedure note in relation to the "Competition for grant of large casino premises licence" dated March 2013.

On the 30th September we were notified that Richard Ivory and two other representatives of the Council had been in discussions with the developer of one of the sites involved in the competition and two of the other applicants. These parties had seemingly asked for a delay to the process whilst they addressed some queries relating to their projects. The Council sought confirmation from our clients that they were content to postpone the commencement of stage 2 of the casino process to at least April 2015.

On behalf of both of our clients, we responded to the Council on the 2nd October expressing our concern with this suggestion. Copies of these letters are attached.

Responses to this letter were received on the 7th October. Copies of these letters are attached.

On the same day we emailed the Council indicating that "our clients [continued] to have a number of serious concerns" about the proposal to delay the start of the stage 2 process.

On the 9th October, Mr Ivory responded to this email advising that "a formal decision on timing will be made by the end of the week [the following day, the 10th October] and communicated to all interested parties". A copy of this letter is enclosed.

We responded to Mr Ivory on the 10th October. A copy of this letter is enclosed.

Despite being advised by Mr Ivory on the 9th October that a decision on timing would be made by the 10th October, and then when no decision had been made by this date, on the 16th October that he hoped to confirm the position at some point in the week commencing 20th October, to date no such decision has been notified to us.

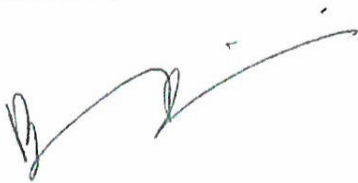
Our clients have incurred, and continue to incur, significant costs in preparing their Stage 2 applications in accordance with the Council's announced timetable and in seeking to establish the reasons for the proposed delay in starting stage 2. The lapse of time whilst no decision is taken is disadvantaging our clients' legitimate commercial interests in a fair process. The delay and on-going uncertainty caused by the failure of the Council to make a decision on the timing of the stage 2 process is wholly unacceptable.

We would also consider it a very serious matter if Council's agrees to a delay wholly or mainly in order to give an advantage to one scheme or applicant or group of applicants. The casino competition must, of course, be carried out on a fair basis in accordance with the relevant DCMS Code of Practice.

We would be grateful if you could please kindly investigate this matter urgently and advise us, with detailed reasons, as to the Council's present position in this matter.

We look forward to hearing from you.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Richard Ivory', written in a cursive style.

Bond Dickinson LLP

cc

Richard Ivory, SCC
Casino Southampton

Item 14

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
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Our ref:

Please ask for: Richard Ivory

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Bond Dickinson LLP
3 Temple Quay
Temple Back East
Bristol
BS1 6DZ

10th November 2014

Dear Sirs,

GAMBLING ACT 2005 – GGV (WM) and GGV (RP) applications

Thank you for your letters concerning the above matter and the proposal to delay Stage 2 of the process. I apologise for the delay in responding. The Council has received a number of representations from the respective applicants and has taken advice on the matter.

We have decided to convene a Licensing Committee meeting to consider the future conduct of the competition. We 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 in advance 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 whether to postpone the commencement of Stage 2.

So that the matter is conducted fairly and transparently, we proposed to include in the report all the recent correspondence with all parties which deals with procedural matters. We do not believe that any commercial confidentiality attaches to it. Moreover, Stage 2 of the competition has not yet begun, and so we can see no basis for cloaking any of the correspondence in confidentiality. Should you take a different view in relation to correspondence with you, please will you let us know as soon as possible, together with the legal basis for any submission that the correspondence should not be included.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. Cant'. The signature is written in a cursive style with a long, sweeping tail on the final letter.

For Head of Legal and Democratic Services