

**Draft Gambling Statement of Principles 2013-2016**  
Annotated consultation response



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**BY FAX AND POST 023 8083 4061**

Dear Mr Ivory,

**Gambling Act 2005 Section 349 – Draft Statement of Principles.**

Thank you for including Aspers in the Council's consultation process on its Statement of Principles.

We are pleased to see that Southampton City Council is moving firmly ahead to adopt a Statement of Principles as required by the Gambling Act 2005, in order that the tendering process for the Large Casino License can be commenced.

We have reviewed the Draft Statement of Principles and whilst generally supportive of the Council's Statement, there are several matters, which if left unaltered may affect our ability to submit an application at the relevant time.

These are:-

1. Paragraph 9.5.7 Data gathering and sharing

The data capture requirements in sub paragraphs a) to h) are already routinely collected by Aspers. However some of this data is clearly sensitive personal information and we would require that the data is sanitized and protected from any 3<sup>rd</sup> parties,

2. Paragraph 9.5.8 Knowledge, sub paragraph (n)

We do not agree to your "no tipping" rule. Tipping of gaming staff is allowed under the Gambling Act 2005 as long as a tronc is in place. Indeed it is likely that tipping is already in place in the City's existing casinos.

Tipping we believe, promotes improved customer service. Tips are also likely to form a significant portion of an employees income. A "no tipping" policy will make the casino less viable, as the casino will need to pay higher salaries to make up for the tips shortfall, thus impacting on the ability of the casino to deliver regeneration benefits to the Council.

3. Paragraph 9.5.12 Layout and access

We believe you are incorrect in stating that Under 18's are allowed in the non gambling areas of a large casino.

The policy does not reflect this assertion

Suitable amendment made

Suitable amendment made

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4. Paragraph 9.5.14 Staff to customer ratio

We cannot accept a staff to customer ratio. As you are aware Aspers operates the largest casino in the UK at Westfield Stratford City. Attendances are in excess of 25,000 a week and regularly exceed 6,000 at weekends. We are experts at managing staffing levels in order to meet demand, whilst providing a safe and comfortable environment for our patrons and any onerous ratios will significantly affect the viability of our business and the benefits to the Council.

The policy is advisory and aspiration only on this point

5. Paragraph 9.5.15 Inducements to gamble

Aspers has a policy not to offer free or cut price food and drink as inducements to gamble. However as we have a broad entertainment offer, we do promote our restaurants with promotional offers, such as "2 for 1" offers, as is widely common within the restaurant sector.

The policy would not prevent entertainment industry standard "2 for 1" promotions on food.

6. Paragraph 11 Conditions on premises licenses

We support the Council's comments regarding door supervision – all Aspers security staff are employed directly by Aspers and are both licensed and members of the Security Industry Authority (SIA).

As you are probably aware, Aspers was the first operator to adopt a "threshold policy". This allows customers to freely enter the premises, although anyone who looks under 21 will be challenged and asked to provide a valid ID. We note that the Council's draft Statement of Principles will allow the operation of a "Threshold Policy" and support the Council in this regard.

Noted

7. Paragraph 15.1 "No Casino" resolution

This is an important point for Aspers and indeed other potential operators. Our understanding is that should the Council adopt a "no casino" policy after the large casino premises licence has been issued, then the new policy will not affect the existing casino premises licence, ie the casino licence is not capable of being revoked due to a change in Council policy. Please can this be clarified and included in the policy.

Suitable clarification made

8. Paragraph 15.28

Aspers supports the Council's preferred location for the large casino as being part of the Royal Pier and Mayflower Park redevelopment project.

Noted

9. Paragraph 15.66

Whilst we note that information regarding the casino applications and the Council's decision will be publically available, we request that sensitive corporate trading information is treated confidentially.

Suitable amendment made

10. Paragraph 21.2 Reviews of premises licenses

Whilst the Council must have the ability to review the licence if there is a question that the licence has not been operated in accordance with the terms of the licence, the Schedule 9 agreement, the Gambling Commission codes of practice and licensing objectives, we feel that the scope for review given to the Licensing Authority by 21.2 is too wide. Operators will not be willing to invest many millions of pounds in a casino licence and risk losing that licence due to a "fishing" exercise by the Council.

The paragraph reflects the statutory position including the Licensing Authority's duty not to unreasonably fetter its discretion

There are clearly a few paragraphs, the final drafting of which, will determine whether or not Aspers submits an application. If it would be helpful, we would be happy to meet with the Council and discuss our concerns. In any event, we hope very much that the Council will consider the above and make the necessary amendments and adopt these within its Statement of Principles.

We look forward to hearing from you

Yours sincerely



Martyn Kennedy,  
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