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**SOUTHAMPTON CITY COUNCIL**  
**LICENSING COMMITTEE**

**MINUTES OF THE MEETING HELD ON 29 NOVEMBER 2022**

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**Present:** Councillors Bunday (Chair), Blatchford, Cooper, Furnell, G Galton, Noon, Goodfellow and Vassiliou

**Apologies:** Councillors Vaughan and Fitzhenry

1. **ELECTION OF VICE-CHAIR**

**RESOLVED** that Councillor Cooper be elected as Vice-Chair for the Municipal Year 2022-2023

2. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

**RESOLVED:** that the minutes for the Sub- Committee meeting on 3 November 2021 be approved and signed as a correct record.

3. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

**RESOLVED** that at a predetermined point during the consideration of all items the Committee will move into private session in order to receive legal advice and determine the issue and the decision of the Committee will be circulated to interested parties in writing.

4. **APPLICATION FOR A FURTHER EXTENSION TO THE PERIOD OF A PROVISIONAL STATEMENT FOR A LARGE CASINO AT ROYAL PIER, SOUTHAMPTON**

The Committee considered the report of Executive Director Communities, Culture and Home detailing a request from Aspers Universal Ltd to extend the period of a Provisional Statement granted to develop a Large Casino at Royal Pier, Southampton.

In attendance were James Andrew, Derek Playford and Richard Noble representing Aspers and Graham Linecar and Andy Gravell representing both local residents and SCAPPS and, with the consent of the Chair, address the meeting.

**RESOLVED**

The Sub-Committee took account of all of the written and oral representations made, for which it was most grateful. It also specifically considered the contents of the Equality and Safety Impact Assessment.

For understandable reasons, the discussion has contained a good deal of reference to the potential contents of the White Paper and what may or may not happen in the future. However, this is largely speculative.

The Committee has rather decided that it should base its decision on what is known.

The first matter which was known is that there has not been any progress with the Mayflower Park development for many years and no evidence of any current progress.

The applicant has accepted that it is unable to point to any real prospect of this development coming forward in the future. The question therefore turns to what should happen to the provisional statement for the casino which forms a key part of that development.

The second key known matter was that the Council is the current beneficiary of a Schedule 9 agreement with Aspers, whose terms were considered by the Council to be beneficial when the provisional statement was granted in 2016. If the Committee were now to refuse to extend the provisional statement it will lose the benefit of the Schedule 9 agreement.

The agreement will only prove to be of benefit if the impending White Paper provides for the portability of the provisional statement. The Committee cannot make a judgment whether the White Paper will make such provision, and whether the White Paper will be carried into legislative effect. However, what is certain is that refusal to extend the provisional statement will lose the existing benefits of the Schedule 9 agreement, however contingent they may be. Extending it preserves the possibility of preserving those economic benefits.

On the other side, the applicant accepts that if the provisional statement is now cancelled, the Council could decide to rerun the competition. The Committee sees the benefit in competition, and can see real advantages to other operators being able to bid in a rerun process. On the other hand, it does not know whether the outcome of such a process would be better or worse for Southampton than the existing Schedule 9 agreement. For example, if there is only one bidder, there will be no Stage 2 of the competition and no Schedule 9 agreement, so that by cancelling the provisional statement the Council risks losing all benefits from the agreement.

The Committee has paid careful attention to the concerns helpfully expressed by Mr Linecar and Mr Gravell and has given detailed consideration to those concerns. In particular it has considered the impact on Mayflower Park of preserving the Schedule 9 agreement for the time being. However, now that it is clear that the current development proposals will not occur, the Committee sees no reason why the proposals have any significant or measurable effect on the regeneration of the Park as the objectors would like to see. Further, given that the development will not happen in Mayflower Park, questions regarding the impact on children fall away. The objectors' aspirations for the sustainable regeneration of the Park are laudable ones, but the Committee does not think that these are detrimentally affected by leaving the provisional statement in place for a short further period.

In the circumstances the Committee decided to grant an extension for one further year so that its future decision-making can take place against a state of knowledge regarding the White Paper and future legislative proposals. The Committee strongly emphasises that it does not intend to bind itself as to its future determinations regarding portability, a re-run competition or any other matter. When it comes to re-look at the matter, it will do so from the standpoint of what then appears to be to the benefit of Southampton in general. It is extending this provisional statement simply so that it has improved knowledge of the then regulatory landscape. It makes it explicitly clear that at that point, all options remain on the table.