

BATH AND NORTH EAST SOMERSET

LICENSING COMMITTEE

Thursday, 14th November, 2013

Present:- Councillors Manda Rigby (Chair), Patrick Anketell-Jones, Rob Appleyard, Bryan Chalker, Anthony Clarke, Gerry Curran, Andrew Furse, Ian Gilchrist (In place of Roger Symonds), Martin Veal (In place of Gabriel Batt), Chris Watt and Brian Webber

Also in attendance: Andrew Jones (Environmental Monitoring and Licensing Manager), Francesca Smith (Senior Legal Adviser) and Philip Kolvin QC

36 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

37 ELECTION OF VICE-CHAIR (IF DESIRED)

RESOLVED that a Vice-Chair was not required on this occasion.

38 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Cllr Gabriel Batt, for whom Cllr Martin Veal substituted, and from Cllr Roger Symonds, for whom Cllr Ian Gilchrist substituted.

39 DECLARATIONS OF INTEREST

There were none.

40 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

41 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

There were none.

42 MINUTES: 16 APRIL 2013

The public and exempt minutes of the meeting of 16 April 2013 were approved as a correct record and signed by the Chair.

43 MINUTES: TAXI SUB-COMMITTEE 7 MAY 2013

These were approved as a correct record and signed by the Chair.

44 STAGE 2 CASINO PREMISES LICENCE: APPLICATION BY GLOBAL GAMING VENTURES LIMITED TO EXTEND THE DURATION OF A PROVISIONAL

STATEMENT

The Environmental and Licensing Manager summarised the application. He said that Tony Wollenberg of GGV had sent his apologies. He reminded members that GGV had been granted a provisional statement for twelve months in August 2012. At the meeting of the Committee held on 16th April 2013 GGV had been granted a six-month extension, which would have expired in February 2014. GGV were now seeking a further extension of one year until February 2015.

By leave of the Chair, Mr Andrew Maltby of Deeley Freed Estates addressed the Committee. He explained that Deeley Freed owned part of the development site and that the rest was owned by the Council. He stressed that it is a complicated scheme but significant progress had been made, with the submission of a planning application. It has entered into a planning performance agreement, and is confident that it can meet planning concerns raised. He expected to achieve planning permission and a section 106 agreement by July 2014 at the latest, and possibly significantly earlier. Deeley Freed had extended agreements for a lease with restaurant operators; and has exchanged heads of terms with GGV and Groupe Partouche, and Heads of Terms with Z Hotels and the scheme funders, the National Grid Pension Scheme. The next milestone was the conversion of heads of terms into legally binding agreements, which was being undertaken. There had been a public exhibition which was well attended, and Deeley Freed had held further consultations with other stakeholders, including the Bath Preservation Trust. Subject to receiving planning permission, enabling works were expected to start in August 2014, with a view to starting the main contract in November 2014, and handing over the shell in November 2015. Programmes are subject to slippage, but subject to getting to planning on time, Mr Maltby stated that his company ought to be able to keep to the timetable.

Mr Maltby was asked questions. He explained that there had been significant archaeological investigations, and piling locations have been agreed with English Heritage; this is part of the planning process. He said that the period for fit out is 9 months from hand over of the shell. He said areas of risk included finding an unanticipated archaeological constraint or a new planning objection. He said that they were in train, and were motivated to get on with the scheme.

He was asked what hurdles stood between converting heads of terms into agreements for lease with GGV. He said that there were no specific hurdles. There were guarantors in place. All the agreements would have to come together at the same time, which was a potential hurdle but all prospective tenants have guarantors. The main risk was the amount of documentation to get through. There may be differences of custom and practice between the UK and France, but that was not seen as insuperable. He explained that there was some gamble for the casino operator in that all agreements for lease had to come together unconditionally.

Having heard Mr Maltby, and having been satisfied that the public interest would be better served by not disclosing relevant information, the Committee **RESOLVED** in accordance with the provisions of section 100(A)(4) of the Local Government Act 1972, that the public be excluded from the meeting for this item of business because of the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of

Schedule 12A of the Act as amended. The Environmental and Licensing Manager was also asked to leave the room.

Following discussion, it was **RESOLVED** that the provisional statement be extended to 28th February 2015.

The meeting ended at 11.20 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services