

Subject: Statement of Gambling Licensing Policy: Casino: Briefing Note

To: Members of the Licensing & Gambling Acts Committee

Following on from the Licensing & Gambling Acts Committee meeting held on 19th February 2013 during which the Committee considered the matter of the “no casino” resolution, it was felt that it would be helpful to have some evidence upon which to base any further decision, before making any recommendation to CEB and Council.

This briefing note provides Members with details as to Local Authorities that have permitted to allow Casinos to operate in their areas, and what a selection of the those Local Authorities see as the advantages and disadvantages of having made a resolution to permit such venues.

In brief:

1. When the Independent Casinos Advisory Panel sought applications for proposed casinos from Licensing Authorities in 2006, this Authority chose not to submit a proposal for such an establishment, and therefore Oxford was not chosen as a location for one of the first 17 new casinos permitted under the 2005 Act. Prior to the implementation of the 2005 Act there were 138 casinos in Great Britain.
2. On 20th November 2006 following a recommendation by the Licensing and Gambling Acts Committee, Full Council passed a ‘No Casino’ resolution (in accordance with S.166 of the 2005 Act). This has the effect that the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place. The 'no casino' resolution lapsed in November 2012 and currently has no effect. A new resolution can be made at any time in the context of reviewing the Council's Statement of Gambling Licensing Policy.
3. The 17 Local Authorities that opted to not adopt a “No Casino” resolution are: Leeds, Hull, Great Yarmouth, Middlesbrough, Milton Keynes, Southampton, Solihull and Newham, Bath and North East Somerset, Dumfries and Galloway, East Lindsey, Luton, Scarborough, Swansea, Torbay and Wolverhampton.
4. Section 175 of the 2005 Act states the national permitted numbers of new casinos:

Casino Premises Licence: Overall Limits

- (1) No more than one casino premises licence may have effect at any time in respect of regional casinos.
- (2) No more than eight casino premises licences may have effect at any time in respect of regional casinos
- (3) No more than eight casino premises licences may have effect at any time in respect of small casinos.

5. By an Order in 2008 the Secretary of State provided which authorities would be permitted to issue the limited number of casino licences - Oxford City was not one of these. Also the limits are currently reached.
6. As the permitted national levels have been reached, no further casinos may be licensed. Even if in the future the limited number was not filled and a licence could be issued, it could not be issued in Oxford without a change to the 2008 Order designating authorities.
7. Consequently there is currently no legal possibility of a licensed casino in Oxford. It is possible that this position could change in the future but it is a very remote possibility and would almost certainly require an indication from the Council to the Secretary of State that Oxford now wished to license a casino,
8. None of this prevents the Council making a new 'no casino' resolution in the future if thought necessary.
9. Therefore, with regard to the above information, no further casinos may be permitted by the law as it currently stands.