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ENVIRONMENTAL SERVICES LICENSING RECEIVED	
- 7 AUG 2006	
PASSED TO:	COPIES TO: <u>RM</u>
ACK'D <u>7/8/6</u>	REPLIED

4th August 2006

Dear Sir/Madam

Salisbury Council's Statement of Licensing Principles

The British Beer & Pub Association (BBPA) represents brewing companies and their pub interests, and pub owning companies, accounting for 98% of beer production and around two thirds of the 60,000 pubs in the UK. Many of our members own and run pubs in Salisbury. The Association promotes the responsible sale of alcohol and management of licensed premises. It has a range of good practice information and guidance for member companies. Further information is available on our website at www.beerandpub.com.

Overall, we welcome the approach taken by the Council in basing its draft Statement of Principles on the LACORS template, and are pleased to comment as follows. This response is also supported by BII, the professional body for the licensed retail sector, the Association of Licensed Multiple Retailers (ALMR), which represents the interests of smaller independent companies within licensed retailing and the Federation of Licensed Victuallers Association (FLVA) which represents self-employed licensees in England.

The protection of children and vulnerable persons

We would like to take this opportunity to emphasise that pubs have had amusement with prize machines on their premises for many years. The BBPA has been pressing for legislation prohibiting under 18s from playing all cash machines (ACMs) since before the introduction of our Code of Practice on Minimum Age of Players, and we therefore very much welcome the restriction now contained in the new Gambling Act.

The Association first introduced its Code of Practice in 1998, and has kept it under regular review since then. As a result of the Code, which is supported by other trade bodies including the ALMR, BII, FLVA and BACTA, ACMs coming on to the market include the "No Under 18s to Play" prohibition notice in the front of the machine. The inclusion of this notice has been achieved at the instigation of the Association in co-operation with machine suppliers.

BBPA member company training schemes also reinforce the management of the machines to ensure the minimum age requirement is complied with, for example by requesting recognised ID such as a PASS accredited proof of age card, driving licence or passport where there is doubt that the player is 18 years of age or over.

Grant of additional permits

While there is no actual requirement under the Gambling Act 2005 for machines to be sited in the bar, we believe that supervision of machines is very important and this is again reinforced by our Code of Practice and staff training. Under the new regime, when operators apply for additional machine permits and they are complying with the Gambling Commission Code of Practice (which will of course replace the BBPA Code), there is no reason why these should not be granted. It would be helpful if the Statement of Principles could reflect this.

Application procedures for more than two machines

The Association would welcome the inclusion in the policy of an outline of the application procedures for permits for more than two machines. We understand that some councils are taking the view that they will grant up to four machine permits without the need for a hearing. We support such an approach in the interests of reduced administration and bureaucracy for both Councils and applicants and would encourage you to consider this possibility.

Both the BBPA and LACORS have been concerned about the lack of a generic application form for permits. We understand that LACORS are now working on a standard application form for permits which could be used by Councils and applicants. It is obviously in the interests of businesses and local authorities to have such a form. We fully support this approach and hope you will adopt the LACORS form once it is produced.

Transitional arrangements

As the implementation date of 1st September 2007 approaches, it is likely that the Council will receive increasing numbers of enquiries from alcohol licensed premises wanting to find out what will happen to their existing machine permissions. It would therefore be helpful if some reference to transitional arrangements could be included either in the policy or in the form of separate guidance. We appreciate that these arrangements will not be absolutely clear until the regulations have been finalised, but it is our understanding (based on the DCMS Transitional Arrangements consultation) that pubs will be automatically entitled to provide the same number of machines as they are currently permitted to provide. This provision is not subject to approval by the licensing authority and their existing permissions should be automatically transferred to the new legislative framework.

After this, if it becomes evident that there is a problem with the premises, the licensing authority has the power to remove the permission or to reduce the number of machines permitted, as stated in the draft policy.

We trust that these comments are helpful and that they will be taken into account in the final version of the policy. The BBPA is committed to ensuring a smooth transition to the operation of the new gambling regime and looks forward to working with you to achieve that objective.

Yours sincerely,

A handwritten signature in black ink that reads "Rita King". The signature is written in a cursive style with a large initial 'R'.

Rita King
Deputy Director (Pub & Leisure)



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18 August 2006

Dear Sir,

Gambling Act 2005 Draft Statement of Licensing Principles

I am writing on behalf of the Racecourse Association, the trade association for 59 racecourses in Great Britain. We have read the Draft Statement of Licensing Principles for Salisbury District Council, to which we would like the opportunity to respond on behalf of our members.

Delineation – There is the suggestion that a level of delineation will be required between areas on racecourses covered by different betting premises licences. Given the layout of racecourse facilities, this may not be possible or practical. In addition, if these areas are covered by the racecourse's betting premises licence, such segregation will not be necessary. The RCA is currently discussing with the Gambling Commission and DCMS the requirements for delineation on racecourses.

Separate Licences for Certain Facilities – The Council may require off-course operators with on-course facilities to hold a separate betting premises licence for this area. Discussions with DCMS have indicated that this will not be a mandatory requirement, and will be at the discretion of the racecourse and the betting operator. This should be reflected in the Statement of Principles.

Location – The proposed location of gambling premises may be taken into account when assessing the application. The Council is asked to consider that the location of racecourses will not have altered since its foundation, and cannot be transferred to another location.

The Licensing Act 2001 and the Private Security Industry Act 2003 – The Council is asked to be aware that under the Licensing Act 2003 and the Private Security

Industry Act 2001, racecourses are already required to provide licensed door supervisors in some roles. In line with the Government's Better Regulation Agenda, the Council should not impose any further provisions relating to door supervisors.

Additional Conditions – In certain circumstances the Council may impose additional conditions on racecourses to ensure they provide a suitable betting environment as they will not hold operating licences. The Council is asked to ensure that these conditions do not exceed those premises licence conditions as are to be outlined by DCMS.

Access by Children – The Council is asked to note that Section 47 of the Gambling Act 2005 allows children to enter a racecourse on days when racing is taking place or is scheduled to take place.

Provisional Statements – The RCA is currently in discussion with the Gambling Commission and DCMS regarding the application of provisional statements at racecourses, where areas of the premises may be subject to development or alteration, whilst other areas of the premises remain in operation.

In addition to these points, we ask that the Council be mindful of the unique type of venue in the gambling industry, as a track premises licence can authorise more than one type of gambling. As such, there are some elements of the Premises Licensing Regime which we are still discussing with DCMS and the Gambling Commission which have not yet been resolved.

We would also request that the Statement takes account of the fact that the Guidance to Licensing Authorities does not represent an accurate picture of the intended premises licence regime as it will apply to tracks, though it lays the framework. This will be modified by further guidance, including specific Guidelines to Tracks and we would welcome a flexible approach at this stage to the Statement of Principles.

Should you wish to discuss the comments raised any further, please contact me on 01344 873536 or holly@rcarcl.co.uk

Yours Faithfully,



Holly Robarts
Racecourse Services Coordinator
The Racecourse Association Ltd

cc: Mr J Martin, Salisbury Racecourse