

## Legal Update Licensing and Gambling

### Licensing Law Update

#### Christmas and New Year extensions – TENS

If you are planning any events for the Christmas and/or New Year period requiring additional hours or licensable activities you will need to apply as soon as possible. Temporary Event Notices must be applied for at least ten clear working days in advance of the event. This means that the date of receipt of the application and the date of the event can't be counted towards the ten days. Please contact us should you require any assistance.

#### Consultation on proposal to examine the deregulation of regulated entertainment

As previously reported, the DCMS is conducting a consultation proposing to deregulate regulated entertainment. The consultation ends shortly, on 3 December. Views are sought on the removal in certain circumstances of the requirement for a licence in England and Wales to host a performance of a play, an exhibition of a film, an indoor sporting event, a performance of live music, the playing of recorded music, or a performance of dance, where the audience is fewer than 5000 people. The consultation paper can be downloaded from the DCMS website [http://www.culture.gov.uk/images/consultations/consultation\\_deregulation-scheduleone\\_2011\\_vs2.pdf](http://www.culture.gov.uk/images/consultations/consultation_deregulation-scheduleone_2011_vs2.pdf)

#### PPL consultation on specially featured entertainment

Even though the official deadline for responses to this consultation about increasing licence fees for Specially Featured Entertainment was the 14th

October 2011 the PPL have stated that if you have not yet responded you may still do so, and that they will take account of all responses received through to the end of 2011. The consultation paper and response forms can be downloaded from the PPL website [www.ppluk.com/en/Music-Users/SFE-Consultation/](http://www.ppluk.com/en/Music-Users/SFE-Consultation/)

PPL also say that no revisions of the current SFE tariff (other than the customary annual inflation adjustment) will be implemented until 1st January 2013 at the earliest. The rise in fees which they were proposing was to take effect from April 2012. It therefore appears that PPL are at least prepared to listen to the trade's concerns, so if you have any comments, make your views known.

#### Gaming Machines on Licensed premises

The Gambling Commission has unveiled plans to roll out training for local authority licensing officers with regard to gaming machines in licensed premises. The training will focus on illegally sited gaming machines, test purchase of underage play, identification of SWPs which are in fact gaming machines and illegal betting in pubs. Increased inspections may well result. We can assist you with carrying out due diligence at your premises.

The Gambling Commission has also begun a consultation on minor revisions to its code of practice on gaming machines and equal chance gaming in pubs. The consultation opened on the 12 October 2011 and the closing date for receipt of responses is 3 January 2012. The Commission is proposing to bring the codes of practice for pubs into line with those that apply in other gambling premises, particularly in relation to

the resolution of disputes. The consultation can be accessed via the following link:  
<http://www.gamblingcommission.gov.uk/pdf/Equal%20chance%20gaming%20in%20clubs%20and%20premises%20with%20an%20alcohol%20licence%20consultation%20-%20October%202011.pdf>

#### Ban on “below-cost” alcohol sales

It has emerged today (8 November) that the Government intends to introduce a ban on “below-cost” alcohol sales in England and Wales. The ban which will be on alcohol sales below duty plus VAT, will come into force (subject to parliamentary procedures) on 6 April 2012 and be enforced by way of a mandatory licence condition.

The Association of Licensed Multiple Retailers has welcomed the move as “a good starting point” but is pushing for further measures, including “restrictions on bulk or wholesale volume purchases and on where alcohol is sold in-store.”

Need to know more? Ask us.

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For information/advice on alcohol or entertainment licensing matters, gambling, betting, lotteries or remote gambling, please contact:

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