

## Paterson's Licensing Law Conferences

# Gambling Law

24 May 2010  
Central London

# Licensing Law

25 May 2010  
Central London



### The essential guide for licensing practitioners

#### Day 1

**Chaired by:** SIMON MEHIGAN QC  
Francis Taylor Building

**Keynote speakers:**

**TOBIAS ELLWOOD**, Shadow Minister for  
Tourism, Licensing and Gambling  
**NEIL MCARTHUR**, The Gambling Commission  
**JEREMY BARK**, Berwin Leighton Paisner LLP  
**PETER WILSON**, Memery Crystal LLP  
**CHRIS PRITCHETT**, Burges Salmon LLP  
**JOHN HAGAN**, Harris Hagan  
**SUSANNA FITZGERALD QC**, One Essex Court  
**DAVID O'REILLY**, Betfair

Sponsored by:



#### Day 2

**Chaired by:** JEREMY PHILLIPS  
Francis Taylor Building

**Keynote speaker:**

**BRIGID SIMMONDS OBE**,  
British Beer & Pub Association  
**JONATHAN SMITH**, Poppleston Allen  
**JAMES RANKIN**, Francis Taylor Building  
**PHIL CRIER**, Blake Laphorn  
**JON WALLSGROVE**, Blake Laphorn  
**MR JUSTICE SAUNDERS**  
**KEVIN DE HANN QC**, Francis Taylor Building  
**CHIEF INSPECTOR GAVIN TEMPEST**, Norfolk  
Constabulary  
**CRAIG BAYLIS**, Berwin Leighton Paisner LLP  
**DAVID MATTHIAS QC**, 2-3 Gray's Inn Square  
**PETER COULSON**, Licensing Review  
**JEREMY ALLEN**, Poppleston Allen

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[www.conferencesandtraining.com/patersons-gambling](http://www.conferencesandtraining.com/patersons-gambling) [www.conferencesandtraining.com/patersons-licensing](http://www.conferencesandtraining.com/patersons-licensing)

Butterworths, publishers of the seminal Paterson's Licensing Acts series, is proud to once again be hosting this headline event for the licensing industry. Over two days, you will hear from the leading lights in gambling and liquor licensing enabling you to understand the latest legal and regulatory developments.

The landscape for both land based and remote gambling law in the UK is constantly evolving. The Gambling Commission is continually updating its advice and policies regarding regulation and compliance. Distinctions between what constitutes a lottery, a prize competition and skill gambling are still causing confusion among those in the industry. The DCMS's current review of remote gambling looks set to increase the regulatory remit of the Gambling Commission by creating new licence requirements for gambling operators based overseas that wish to attract UK customers.

## DAY ONE – Paterson's Gambling Law 2010 • 24 May 2010

[www.conferencesandtraining.com/patersons-gambling](http://www.conferencesandtraining.com/patersons-gambling)

09.00	Registration & coffee	12.45	Lunch
09.25	<b>Chair's opening remarks</b> SIMON MEHIGAN QC, <i>Francis Taylor Building</i>	13.45	<b>Casinos</b> • Understanding the new competition process for casinos • A potential minefield for applicants and local authorities alike? JOHN HAGAN, <i>Partner, Harris Hagan</i>
09.30	<b>The Gambling Commission – a regulatory, enforcement &amp; prosecution update</b> An analysis of The Gambling Commission's risk based regulatory approach and an update on the progress that has been made to date NEIL MCARTHUR, <i>Director of Legal, The Gambling Commission</i>	14.30	<b>Gambling in pubs and clubs: understanding the legal and regulatory controls</b> • Permitted and exempt gaming – competitions, lotteries and poker • Commercial opportunities – revenue drivers vs. compliance • The practicalities of enforcement SUSANNA FITZGERALD QC, <i>One Essex Court</i>
10.15	<b>Split premises and primary gambling activity</b> • Dividing gambling premises • Understanding the new Licence Conditions and Codes of Practice (LCCP) • Assessing primary gambling activity • Enforcement action JEREMY BARK, <i>Associate Director, Berwin Leighton Paisner LLP</i>	15.15	Coffee
11.00	Coffee	15.30	<b>Online gambling and offshore operations</b> • DCMS review of the White List – creating a level playing field for British online gambling operators? • Introduction of new licence requirements for gambling operators based overseas • Advertising restrictions • Consumer protection issues DAVID O'REILLY, <i>Legal Counsel, Betfair</i>
11.15	<b>Gambling machines – opportunities and constraints</b> • The expert review and possible developments • Update on the gross profits tax consultation • Is it gaming or betting? The Gambling Commission's test • Regulatory outlook PETER WILSON, <i>Partner, Memery Crystal LLP</i>	16.15	<b>The future for gambling law in the UK</b> TOBIAS ELLWOOD, <i>Shadow Minister for Tourism, Licensing and Gambling</i>
12.00	<b>Is it a) Lotteries, b) Competitions or c) Free Prize Draws?</b> • What is a lottery - law and guidance • Competitions - update on the requirement for skill • Free prize draws - what is 'free'? • Latest developments • Games predicting a sporting outcome - racecards, fantasy football CHRIS PRITCHETT, <i>Senior Associate, Burges Salmon LLP</i>	16.45	<b>Chair's closing remarks</b>
		16.50	Conference ends

**'The best annual opportunity to discover the latest developments in licensing law'**

Andrew Evans, Barrister, St Philips Chambers, 2009 Paterson's Licensing Law delegate

**BOOK BOTH DAYS  
AND SAVE £100**

2010 promises to be a significant year for those involved in liquor licensing. The Policing and Crime Act 2009 will create new requirements for the licensing of sex establishments. The Home Office's recently published Mandatory Alcohol Code, which includes provisions to introduce smaller measures and a blanket banning of 'irresponsible' drink promotions, means that the licensing trade may be moving into a challenging new operating environment. Other changes affecting this increasingly regulated sector include the introduction of electronic applications and the new minor variation regime.

## DAY TWO – Paterson's Licensing Law 2010 • 25 May 2010

[www.conferencesandtraining.com/patersons-licensing](http://www.conferencesandtraining.com/patersons-licensing)

09.00 Registration & coffee

### 09.25 **Chair's opening remarks**

**JEREMY PHILLIPS**, *Francis Taylor Building*

### 09.30 **The Policing & Crime Act – the end of the line?**

Keynote address

- Pubs and local authorities
- The new Mandatory Alcohol Retailing Code
- New powers for local authorities
- A new government?
- Pubs and social responsibility
- Pubs of the future

**BRIGID SIMMONDS OBE**, *Chief Executive Officer, British Beer & Pub Association*

### 10.15 **Regulating sex establishments**

- Introduction to the Policing & Crime Act
- A comparison of the remedies available to objectors under the Licensing Act 2003 and the Local Government (Miscellaneous Provisions) Act 1982
- Policies and consultation
- Grounds for refusal and rights of appeal (or lack of them)
- Will it work?

**JONATHAN SMITH**, *Managing Partner, Poppleston Allen*

11.00 Coffee

### 11.15 **Case law update**

An analysis of the key cases of the last 12 months and their practical impact

**JAMES RANKIN**, *Francis Taylor Building*

### 12.00 **Procedural reform and other key developments**

- Electronic applications and the changing nature of applications
- The minor variations procedure – what is "minor" and how is the new system working in practice?
- New live music exemption for small capacity premises
- TEN's – new police discretion to accept short notice
- Interim Authority Notice's and transfers following death, incapacity and insolvency – the approach to be adopted by licensing authorities

**PHIL CRIER**, *Partner, Blake Laphorn*

**JON WALLSGROVE**, *Partner, Blake Laphorn*

13.00 Lunch

### 14.00 **Licensing law in 2010 – a personal view**

**MR JUSTICE SAUNDERS**

### 14.30 **Issues surrounding premises licence conditions, reviews and appeals**

- Conditions:
  - Bristol
  - Mandatory conditions
- Appeals:
  - Sagnata RIP?
  - To what extent are decisions below material?
- Reviews:
  - Can the authority/court impose a punitive sanction?
  - Use of expedited reviews

**KEVIN DE HAAN QC**, *Francis Taylor Building*

### 15.15 **Prosecutions – crime & punishment**

- What do recent cases tell us?
- Policing underage sales
- Drunkenness, whose responsibility?
- Alternative remedial actions

**CHIEF INSPECTOR GAVIN TEMPEST**,  
*Norfolk Constabulary*

15.45 Coffee

### 16.00 **The view from the off-trade**

- Impact of new and proposed regulations
- Price fixing
- Enforcement issues

**CRAIG BAYLIS**, *Partner, Berwin Leighton Paisner LLP*

### 16.30 **The future for licensing law in the UK**

- Government – new or existing: are there differences in policies?

Moderator:

**JEREMY PHILLIPS**, *Francis Taylor Building*

Panelists to include:

**DAVID MATTHIAS QC**, *2-3 Gray's Inn Square*

**PETER COULSON**, *Editor, Licensing Review*

**JEREMY ALLEN**, *Senior Partner, Poppleston Allen*

### 17.15 **Chair's closing remarks**

17.20 Conference ends

Panel session

