

Member of the public

Dear Sirs,

We are responding to your consultation about the possibility of amending your current PSPO to prevent "ticket touting" at certain horse racing events.

We live in Kent and have been members of Cheltenham Racecourse for several years. Prior to becoming members we attended various meetings over the years as paying customers and sometimes as invitees. Our first visit being in 1969.

We have never been accosted by an "aggressive" tout in nearly 50 years. The refrain we hear regularly from almost every tout is "I'll buy or sell any tickets". It is not in the least intrusive and certainly not aggressive.

THERE HAS TO BE A SECONDARY MARKET FOR TICKETS. Individuals and companies alike have to buy their tickets months in advance. Invitations are issued to guests but, at short notice, due to business demands or sickness a number of potential spectators are unable to attend. What is the paying customer to do with those unused tickets if the Racecourse will not buy them back? If the Racecourse had a ticket office to issue refunds for unused tickets at say 80% of the face value they would kill the "ticket touting" almost immediately.

You don't need to amend your PSPO - just get the Racecourse to take sensible action. The resolution is in their own hands.

We are strongly against "ticket touts" being banned.

Yours sincerely

Member of the public

My wife Jenny and I have been members of Cheltenham racecourse for the last 8 years and have seen an increase in touts in that time. They are a bloody nuisance and quite insulting when you tell them you don't want to be bothered. They are a blot on the landscape and we will be glad to see the back of them. Living on the Isle of Wight we never experience anything of this nature and will be glad when they are dealt with.

Yours truly,

Cheltenham Racecourse

In response to the consultation of the variation of the Public Spaces Protection Order:

I can confirm that the racecourse is wholly supportive of the principle of prohibition of ticket touting in the community and on the racecourse itself.

As stated in the consultation paper touting has become more competitive in recent years causing touts to become bolder and more aggressive in their approach to sell their tickets. This is witnessed on every raceday and on site touts can vary from c20 persons to upwards of c150 touts at each of the Festival days. Increasingly racegoers are telling us of the negative impact this activity is having on

their experience. We understand that similar numbers of touts operate locally to the racecourse, often starting their day at Cheltenham Spa train station and working their way up to the racecourse with the crowds.

The racecourse has in recent years introduced a number of measures to reduce the touting activity and the potential financial gain for ticket touts, including tightening up of our terms and conditions of sale, anti touts patrols and this season introducing a refund policy to recycle authentic tickets which are unable to be used by the original purchaser for legitimate reasons. The racecourse has worked closely with the police as a number of the touts are known to them. The introduction of prohibition of ticket touting within the PSPO will have further advantage as we strive to ensure racegoers experience is not being detrimentally influenced and racegoers can purchase tickets at the retail rate, not an inflated rate from a tout or indeed purchasing of an invalid ticket.

Regarding the detail of the PSPO the racecourse would like consideration to be made to including all eight race meetings (currently three race meetings are stated). As stated above touting activity is present at all our race meetings. The eight meetings, in season order are:

- The Showcase (October)
- The November Meeting (November)
- The International (December)
- New Years Day
- Festival Trials Day (January)
- The Festival (March)
- April Meeting (April)
- Hunter Chase meeting (late April/early May)

Additionally we would like consideration of the proposed area of prohibition to be extended to all car parking areas at the racecourse (currently only approx. 1/3rd of the racecourse car parking area is proposed as the 'protected area'). Please see attached annotation on the map submitted with the consultation.

We would like to highlight that the racecourse currently permits racegoers to consume alcohol in the car parks, indeed a number of racegoers arrive early and have a picnic 'out of the boot' of their car. We are keen that an unintended consequence of the extension of the PSPO doesn't impact on this part of the racegoers day. Perhaps a separate map highlighting the area of ticket tout prohibition would be beneficial.

If we can provide any more insight or detail please do let me know.

Kind regards

Member of the public

I am writing to give my very strong support to the proposal to ban ticket touts from the streets and surrounding areas of Prestbury Park. Several friends and I have been coming to 2 days of the Cheltenham Festival for the past 15 years and each year we notice the problem has got worse. The

number of touts increases each year ; their loud and aggressive demeanour increases; they stand in the middle of pavements forcing people onto the road and increasing congestion on the way in. The council and the racecourse authorities work very hard to make the jumps Festival a welcoming and exciting event and to have to run the gauntlet of these individuals en route spoils the initial experience for many.

I was born and brought up in Cheltenham and believe this proposal would make my home town an even more welcoming and delightful place to come back to. Our group will look forward to coming even more in March 2018 - the tickets are already bought!

Yours sincerely,

Member of the public

I am strongly against the proposed order.

I live in Cheltenham and am a Racecourse member. Each year I buy at least two tickets for my wife to also attend the Festival.

Last year my wife was ill and unable to attend. I therefore sold her tickets to a tout at the course. I had no other way of recouping some of the nearly £200 cost of the tickets.

If the Racecourse management agreed to a scheme to purchase back unwanted tickets (less an administration fee) then there may be a case for restricting touts, but with their current policies the second hand market will and should prevail.

Over the many years of attendance, we have always been approached by touts in the vicinity of the course. Often they may have been chirpy in their approach but NEVER aggressive or rude.

Regards

Member of the public

I regularly visit Cheltenham for the racing but loathe being constantly hassled by the touts. I'm therefore fully supportive of the action you are suggesting.

Best Wishes

Gloucestershire Constabulary and OPCC

I am instructed to respond to the Borough Council's consultation in relation to the above on behalf of the Police and Crime Commissioner (as the "local policing body") and the Chief Constable of Gloucestershire Constabulary. In broad terms both are happy to support the variation and the Council's attempt to address the longstanding problem of ticket touts operating in and around Cheltenham Racecourse. There are however a number of matters of detail which we would ask the Council to take into consideration before confirming the variation.

Clause 1 – Protected Area

The map attached to the draft Order is inconsistent with the separate map on your website which identifies the relevant area with a red line. Presumably the latter is the one that is intended to be appended to the Order. We are keen to ensure that police officers and PCSOs enforcing the Order are clear as to which areas are within the Protected Area and which are not. Careful attention therefore needs to be given to ensuring that the red line around the Protected Area is accurate to avoid disputes on the street and subsequent litigation. In particular we have noted the following discrepancies:

- (a) At the northern end of Albert Road the red line crosses from the eastern side of the road to the western. It would be better if the whole of the road were included in the Protected Area.
- (b) At the junction of Wincombe Street, Clarence Road and the B4632 the red line departs from the southern side of the road towards the middle of the carriageway. It would again be better if the whole road were included in the Protected Area.
- (c) Parts of Montpelier Terrace appear to be within the Protected Area while others are not. It would be better if the section of road from roundabout to the junction with Montpelier Parade were either wholly within the Protected Area or wholly excluded.
- (d) Again, the red line along the length of Gloucester Road appears to run down the centre of the carriageway. It would be better if it were on one side of the road or the other.
- (e) Similarly, the red line dissects St George's Road between the junction with Gloucester Road and Honeybourne Way and needs to be on one side of the road or the other.

Clause 2 – Effective dates and times

Secondly, we would question the use of the word "annually". The Order is to take effect for the duration of the listed events, throughout the three year life of the Order. While these events may occur annually that is irrelevant to identifying the period for which the Order is in effect. The draft order also refers to three events: (a) "The Festival" (March), (b) "The November Meeting" (November) and (c) "The Showcase" (October) while the supporting report refers to "the race events in March, November and New Year's Day". If New Year's Day is an issue then this needs to be included also. To avoid any ambiguity would it not be better to include any horse racing event held at the Racecourse? There is also the issue of what times of day the Order relates to? The phrase "for the duration of the each of the following..." could be interpreted as only relating to the period from the start of the first race to the finish of the last which I guess is probably narrower than intended.

Clause 3 – Prohibited Conduct

Finally, the wording used to define the prohibited conduct refers to "approaching another person" and then seeks to extend that behaviour to include behaviour that is implied and by the use of signs. This will be difficult for officers to interpret. We believe it would be better to use the same formulation that is used in s.166(1) and (2) of the Criminal Justice and Public Order Act 1994 as amended by the Violent Crime Reduction Act 2006 which includes in the definition of "selling" tickets activities such as offering to sell, exposing a ticket for sale and advertising that a ticket is available for purchase. This would enable officers to more readily identify those likely to be in breach of the Order since the same criteria would apply as would in relation to the unauthorised sale of tickets at a football match. This should also assist ticket sellers to better appreciate the conduct that would be prohibited within the Protected Area.

Subject to the above, I confirm that the PCC and the Chief Constable welcome the Council's proposal and would be happy to discuss the finer details further should that be necessary.

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