
APPLICATIONS FOR A LICENCE TO TRAIN GUIDANCE NOTES

1. These Guidance Notes should be read before completing the Application Form to which they relate. They are designed to assist but should any matter be unclear, applicants are encouraged to contact the British Horseracing Authority (BHA) Licensing Team for further confidential guidance.
2. Applications are considered on their individual merits but within the framework of these Guidance Notes.
3. Applications should be submitted online to the Licensing Team; links to relevant forms, together with other relevant information can be accessed via: <http://www.britishhorseracing.com/resource-centre/licences/forms-info/> Initial applicants should allow at least two months in order for the application to be considered and currently licensed applicants applying for renewal a period of at least one month.
4. Applicants are required to demonstrate or confirm that:
 - They have the competence and capability to train;
 - They have access to appropriate training facilities;
 - They have security of tenure for the premises from which they wish to train;
 - They have a minimum of 3 horses in training;
 - They comply with relevant Health and Safety responsibilities;
 - They provide full details of their employment status;
 - They comply with all relevant employment responsibilities;
 - They have appropriate Public Liability Insurance and, where appropriate, Employers' Liability Insurance;
 - The necessary financial resources are available to the training business; and
 - They are otherwise in all the circumstances suitable to hold a licence (i.e. that they are 'fit and proper').
5. The detailed guidance contained in the remainder of this document sets out what is required and what each applicant will need to show.
6. Renewal of a Licence is not automatic and the previous performances of horses trained by each applicant will be taken into account. Each application for renewal is considered on its merits but as a guide, your Licence may not be renewed if your runners have consistently jumped badly, fallen, always been behind, tailed off, been unruly when loading into stalls, etc.

A. COMPETENCE AND CAPABILITY

7. Each applicant will have to satisfy the BHA that he/she is competent to and capable of, training horses with due regard to the welfare of the horses in their care, the interests of Owners and the sport as a whole. In determining a person's competence and capability the BHA will have regard to all relevant matters.
8. First time applicants will normally have to demonstrate at least the following:
 - 8.1. a minimum of 5 years' experience in training establishments including at least 2 years in a responsible and senior position preferably as an Assistant Trainer in a successful racing yard*;

- 8.2. or a track record as a Permit holder consisting of at least 3 wins with a reasonable spread of horses*; or
- 8.3. running a Point to Point yard for at least 2 years and having trained a minimum of 10 Point to Point/Hunter Chase wins with a reasonable spread of horses*.
- 8.4. The Level 3 Diploma in Work Based Racecourse Care and Management (WBD) via Pathway C, D, or H (see Modular Training Guidance for details).
- 8.5. Successful completion of Modules 1, 2 and 3 of the training programme held either at the British Racing School, Newmarket or the Northern Racing College, Doncaster (see Modular Training Guidance for details).
- 8.6. Enrolment or attendance on a one-day training seminar for potential trainers at Weatherbys' offices in Wellingborough, Northamptonshire.

*Information submitted will be checked and verified via the BHA's official records including, but not limited to racing (and Point-to-Point) performance records, and the Register of Stable Employees.

- 9. A first time applicant will also have to satisfy him/herself and confirm to the BHA that:
 - 9.1. They can recognise the signs of normal health, common diseases and ailments in a racehorse.
 - 9.2. They have a sufficient understanding of:
 - 9.2.1. the basic anatomy of horses, of preventative medicine and veterinary treatment;
 - 9.2.2. the principles of exercise physiology related to racehorses and especially the effects of transport and the immediate pre- and post- race periods;
 - 9.2.3. the principles of feeding racehorses;
 - 9.2.4. racecourse procedures, e.g. declarations, saddling up, etc.; and
 - 9.2.5. the regulatory requirements of the BHA and the Rules of Racing, particularly in relation to integrity.
 - 9.3. They possess the ability to at least converse in the English Language.
- 10. In relation to persons who have previously been licensed outside Great Britain, a Certificate of Clearance, together with licensing, disciplinary and training records from the relevant Turf Authority (under whose Rules they were last licensed) should also be provided.

B. IDENTITY DOCUMENTS

- 11. First time applicants are required to submit a certified copy of their Passport or Birth Certificate, signed by a professionally qualified person (e.g. lawyer, teacher, local councillor or police officer) or a person of similar status, who must have known the applicant personally for at least two years.
- 12. The individual signing the photocopied document must also complete a 'Declaration to Support Identity of Applicant' form.

C. TRAINING YARD AND FACILITIES

13. If a licence to train is granted, it is on the understanding that it is restricted to training horses at or from the stables to which the application relates; it does not permit the applicant to train at or from any other stables. Application forms for the approval of a Change of Stables or a new Additional Yard are available from the Licensing Team.
14. The yard and training facilities must be of a standard (as to suitability and security) that meets the requirements of an inspection to be carried out before any licence is granted by a Stable Inspecting Officer from the BHA's Integrity and Regulatory Operations Department and, when considered appropriate, a Veterinary Officer. You are required to notify the Licensing Team of any changes to the training yard or stabling facilities.
15. If the applicant is to train horses for Flat Races he/she will be expected to have:
 - 15.1. gallops of approximately 6 furlongs, including 4 furlongs straight, suitable for training young horses in all weathers (although an all-weather surface is not essential) and be within hacking distance of the stables to which the proposed licence relates; and
 - 15.2. proper facilities on the gallops for schooling horses through starting stalls. The BHA has separate notes on the criteria for properly schooled horses and the design of acceptable practice stalls (see Annex 1).
16. If the applicant is to train horses for Steeple Chases and Hurdle races he/she must have:
 - 16.1. gallops of approximately 6 furlongs within hacking distance of the stables;
 - 16.2. at least one plain fence and one open ditch with wings over which 2 horses are able to school alongside one another (15 feet in width). Fences should be well-packed and firm, with painted guard rails. If possible, they should form part of an acceptable gallop;
 - 16.3. at least 2 flights of hurdles with wings over which 2 horses can school alongside (15 feet in width); and
 - 16.4. access to 'nursery facilities', e.g. poles, logs, tyres, etc, for teaching young horses to jump or for re-educating older horses.
17. If the applicant intends to use 'central' gallops and/or schooling facilities e.g. Epsom, Lambourn, Malton, Middleham and Newmarket, or facilities owned by another person he/she must obtain provisional approval from the appropriate persons before submitting the application. Written confirmation of the availability of these facilities will be required prior to the Licensing Team giving final consideration to your application.
18. Applicants must ascertain from their local planning authority whether the premises have relevant planning permission to be used as a commercial racehorse training establishment. Applicants may be required to demonstrate that such permission has been obtained or that advice has been sought upon request.

D. SECURITY OF TENURE

19. The applicant or the person(s) who will run the proposed training business must have security of tenure in respect of the yard and training facilities and be entitled to carry on the proposed training business, for a minimum period of 12 months from the date of the issuance of the licence. In the case of a new application a copy of the draft lease or tenancy agreement will be required.

E. NUMBER OF HORSES IN TRAINING

20. An applicant is required to have a minimum of 3 horses in training throughout the year. In the case of first time applicants, the BHA will wish to see as comprehensive a list as possible of the string of horses that are likely to be assembled in the event of the application being successful, with a summary of the form of each horse and a brief outline of the plans for the horses in the training operation.

F. HEALTH AND SAFETY

21. An employer has certain responsibilities for compliance with Health and Safety legislation. Applicants are provided with 'the Red Book' regarding Health and Safety in the Racing Industry, (also available online at: <http://www.britishhorseracing.com/resource-centre/rules-guides/>). These are guidelines drawn up in collaboration with the Health and Safety Executive (HSE) to show Trainers how to interpret their legal requirements using simple explanations and practical examples. Applicant trainers are also encouraged to seek advice from the National Trainers' Federation (NTF) or their local HSE representative.

G. EMPLOYMENT STATUS

22. Each application must state the employment status of the applicant (applicants who wish to trade via a Limited Company will, for the purposes of their application, be seen as an 'employee'). A licence is issued on the basis that the applicant is training either as a sole trader or as an employee. Should the applicant's employment status change, the licence will terminate unless prior approval is given by the BHA.
23. When applying for a licence as an employee of an individual or a company, the applicant must provide full details of the employer. In the case of a company the following additional information is required:
- 23.1. Memorandum and Articles of Association;
 - 23.2. names and addresses of Directors and Company Secretary;
 - 23.3. names and addresses of beneficial shareholders and their shareholdings.
24. A copy of the draft Contract of Employment or Service Contract must be seen by the BHA prior to consideration of the application and a signed copy will be required prior to issue (a specimen is available at: <http://www.britishhorseracing.com/resource-centre/licences/forms-info/>). Any subsequent amendments will require the BHA's approval. Each employer must provide certain items of disclosure, details of which is contained within the Application Form.

H. STAFF

25. Applicants are asked to give an undertaking when applying for a licence that the staff of the training business will be employed in accordance with the Racing Industry Minimum Rates of pay Structure and certain standard conditions of employment, established by the National Joint Council for Stable Staff, set out at Schedule (C)1 of the Rules of Racing. Any Trainer whose terms deviate from this agreement must submit full details of their employment terms.

I. PUBLIC LIABILITY INSURANCE

26. All Licensed Trainers are required to have Public Liability Insurance providing minimum cover of £5 million. This policy must include cover for any awards of damages given to a member of the public arising out of the death, bodily injury or damage to property suffered by members of the general public at a recognised race meeting. Trainers are likely also to require Employers' Liability Insurance in accordance with the Employers' Liability (Compulsory Insurance) Act 1969.

J. GENERAL SUITABILITY ('FIT AND PROPER')

27. In considering any application, the BHA must also be satisfied, taking into account any fact or matter that it considers appropriate, that the applicant is suitable to hold a licence. Relevant considerations include the applicant's honesty and integrity, business competence and capability and financial soundness.
28. In relation to each section below, the BHA expects full and frank disclosure from the applicant, who is required to disclose matters known to him/her and those which he/she can be expected to discover by making enquiries. Failure to do so will be a relevant factor in the assessment as to an applicant's, competence, honesty and integrity.
29. A person whose conduct, behaviour or character is not in accordance with that which, in the opinion of the BHA, should be expected of a licensed person, may not be considered suitable and therefore may be refused a licence.
30. In some cases a single factor may lead to the conclusion that someone is not suitable, whereas in another case the determination of whether someone is not suitable may depend upon the cumulative assessment of a number of matters.
31. It is not possible to produce a definitive list of all matters that would be relevant to a particular application. This document should be considered a guide as to the sorts of considerations that the BHA will have in mind when making such an assessment.

Honesty and Integrity

32. The criteria to which the BHA will have regard in assessing honesty and integrity include the following:
- 32.1. Whether the applicant has been convicted of any criminal offence in Great Britain, or a foreign jurisdiction, excluding offences which are spent under the Rehabilitation of Offenders Act 1974 and in the case of foreign offences, such as may be appropriate. Particular consideration will be given to offences of dishonesty, fraud and those relating to sexual conduct, violence, animal welfare and health and safety.
- 32.2. Whether the applicant is the subject of any proceedings of a criminal nature, has been charged in connection with any alleged criminal offence or is aware of circumstances which may lead to his/her being so charged.
- 32.3. Whether the applicant has been the subject of any adverse finding by a judge in any civil proceedings, or has settled civil proceedings brought against him/her relating to any matter which could reasonably be said to materially affect his/her suitability to hold a licence.
- 32.4. The applicant's record of compliance with the regulatory requirements of the BHA or its predecessors, of any other Racing Authority or of a regulator of any other sport in which he/she has participated or has been otherwise involved.
- 32.5. Whether the applicant has been candid, open and truthful in all his/her dealings:

- 32.5.1. With the BHA in relation to the present or relevant past licence applications; and
- 32.5.2. With any other Racing Authority or other sports regulator.
- 32.6. Whether or not the applicant has been dismissed from any previous employment or position of trust or has been asked to resign or resigned on grounds connected with his/her honesty or integrity.
- 32.7. Whether an applicant has been convicted of, or dismissed or suspended from employment for drug or alcohol abuses or other abusive acts or has other lifestyle or social issues, which are likely either to:
 - 32.7.1. Impair significantly his/her ability to safeguard the welfare of the horses in training or meet the regulatory requirements of the BHA; or
 - 32.7.2. Render the applicant a threat to the health, welfare or safety of others involved in horseracing, or to the integrity of the sport.
- 32.8. Whether the applicant has engaged in conduct or there are circumstances which may render the applicant susceptible to pressure from persons seeking to corrupt horseracing and whether the applicant is likely to or may engage in such conduct.
- 32.9. Whether the applicant has observed the Integrity Provisions contained within these Guidance Notes.
- 33. An applicant's fitness and propriety includes assessment of the fitness and propriety of those with whom he/she is or may be associated or connected with in their personal or business dealings. For example, if the applicant has been a director or shareholder of a company that has committed a criminal offence, that matter will be taken into account and its ultimate relevance to his/her suitability will be assessed in the light of the applicant's responsibility (if any) in relation to that offence. Also, where the applicant is to be an employee of a company or other person(s) running the proposed training business, the honesty and integrity of the employer may be relevant to an assessment of the fitness and propriety of the applicant, as may be the honesty and integrity of those associated with or connected to the employer.
- 34. The BHA has a policy of not granting a trainer's licence to a person actively engaged as a Bookmaker having made the judgement that such a close financial interest, potentially in conflict with his interest as a trainer, is likely to diminish public confidence in the integrity of racing. Other interests of trainers in betting businesses, e.g. shareholdings other than in plcs or in different types of betting (spread betting) will be considered on a case by case basis and a judgement made on whether the interest in question could reasonably cause public concern about the integrity of racing. Factors to be taken into account by the BHA will include the size of the shareholding and the degree of involvement with the management of the business. If it came to the BHA's notice that a trainer had an interest and that interest was subsequently judged to compromise the trainer, he would be given reasonable time to divest himself of the interest in a manner acceptable to the BHA.

Business Competence And Capability

- 35. The applicant must also demonstrate his/her competence and capability to run the proposed training business or where the business is to be carried on in whole or in part by another person, the competence and capability of the person(s) concerned to run the business. The Rules of Racing require that the training business to which the licence relates must be carried on with reasonable care and skill in addition to the various specific requirements of the Rules of Racing regulating the conduct of a training business.

36. Relevant matters include:

- 36.1. Whether the business will have a competent and prudent management structure; and
- 36.2. Whether the applicant can demonstrate that the affairs of the business will be conducted with reasonable care, skill and diligence.
- 36.3. Whether there are or will be in place such measures as may be required:
 - 36.3.1. By the Health and Safety Executive or other competent body pursuant to health and safety legislation; and
 - 36.3.2. In connection with animal welfare.
- 36.4. Whether there are in place such procedures or measures as will:
 - 36.4.1. Ensure that the employees of the business are from time to time aware and made aware (e.g. by appropriate health and safety induction) of those requirements and standards as they apply to the business; and
 - 36.4.2. Enable the applicant or, where relevant, the person or persons (directors, employees or others) running the business to determine that their employees are acting in the manner required by those standards.

37. Whether there are in place such facilities and procedures as are required by law and/or are reasonable necessary in connection with the provision of a safe system of work and health and safety at the premises where the training business is to be undertaken.

Financial Soundness

38. The BHA will take into account the financial track record of an applicant and (whether or not the business is owned by the applicant) all the relevant circumstances in assessing the likely financial soundness of the proposed training business. First time applicants will be required to satisfy all relevant factors (listed below) however, applicants applying for a renewal of a licence to train may be required to produce documents only upon request.

39. Relevant factors include:

- 39.1. Whether the applicant has been the subject of any judgement debt or award in Great Britain or elsewhere, which remains unpaid or was not satisfied within a reasonable period.
- 39.2. Whether the applicant has ever, in Great Britain or elsewhere, made arrangements with his creditors, filed for bankruptcy, had a bankruptcy petition served on him, been adjudged bankrupt, or been the subject of any other bankruptcy process (including any restrictions order or undertaking or sequestration of assets).
- 39.3. Whether the applicant has been a director or other officer or shareholder of a company which has gone into insolvent liquidation or has been placed into administration while the applicant was so connected to the company or within 12 months of his/her ceasing to be so connected.
- 39.4. That the training business to which the application relates is solvent and able to pay debts as they fall due.
- 39.5. Whether the training business to which the application relates is likely to be financially sound, taking into account all relevant matters, including the information that the applicant is required to furnish in support of his application, namely:

- 39.5.1. A financial reference from a satisfactory source indicating that the applicant or the person(s) who own the training business have available working capital or overdraft facilities of not less than £40,000 or such other amount as may be requested on behalf of the BHA having regard to the circumstances of the application; and
- 39.5.2. Projected profit and loss accounts for the first 12 months of the training business; and
- 39.5.3. A cash flow projection for the first 12 months of the training business, setting out in reasonable detail the assumptions on which the projection is based.
- 39.5.4. Accounts and balance sheets for any prior period of trading of the proposed or of any other relevant business as may be requested by the BHA.

Integrity Provisions

- 40. The following Integrity Provisions set out the standards of behaviour to be observed by all Licensed Trainers as conditions of their Licence. As a Licensed Trainer, you agree to:
 - 40.1. Avoid the company of Persons whose conduct, character or reputation indicate that they may pose a threat to the integrity of horseracing.
 - 40.2. Make sure you have read and understood the definition of Inside Information in Rule (A)36.
 - 40.3. Refrain from regularly passing Inside Information to anyone other than the connections of the horse, even where there is no reward except in cases specifically allowed for in the Rules.
 - 40.4. Ensure that relationships with Betting Organisations or any Person representing a Betting Organisation do not confer special privileges or concessions which may invite adverse inferences to be drawn.
 - 40.5. Report to the BHA any suspicious or unusual financial transactions (for example, cash payments in excess of a total of £10,000 for a transaction connected with the business of training racehorses).
 - 40.6. Ensure that the usage of pass cards and any metal badges within a licensed racecourse complies with the user conditions laid down by the Racecourse Association.

K. SPECIFIED CASES

Absolute Requirements

41. The specified cases detailed below are requirements which an applicant must satisfy in order for an application to be considered by the BHA:

| Requirements | Guidance Notes Reference Point |
|---|---------------------------------------|
| To supply such documentation as detailed in the Guidance Notes & application form (first time applicants only) | |
| Obtainment of the Level 3 Diploma in Work Based Racehorse Care and Management (WBD) via pathway C, D or H (first time applicants only) | 8.4 |
| Completed the mandatory Trainers Modules (unless meeting the requirements for exemption from Module 1 as detailed in the Modular Training Guide and subsequently being granted such exemption by the BHA)(first time applicants only) | 8.5 |
| To submit a certificate of clearance where the applicant has previously been licensed outside Great Britain from the relevant Racing Authority | 10 |
| Premises from which to train | 13 & 14 |
| Access to training facilities specified in the Guidance Notes for Licences to Train | 15, 16 & 17 |
| Either legal ownership of or Security of Tenure for, the proposed training premises | 18 |
| A minimum of 3 horses to train should the application be granted | 19 |
| Confirmation that any staff are employed in accordance with Schedule (C)1 of Rules of Racing | 24 |
| Public Liability Insurance which meets those requirements detailed in these Guidance Notes | 25 |

42. The mere provision of the documents required above may not be sufficient to ensure that an application is considered by the BHA. Such documents must also be complete and fit for purpose. Similarly, whilst satisfaction by the applicant of the other requirements in paragraph 40 (as a matter of fact) will enable the BHA to consider their application, the applicant should not presume that will result in a Licence being granted. The manner in which such requirements are met will be one of the factors for the BHA to consider in assessing the applicant's suitability in accordance with these Guidance Notes, and in deciding whether or not to grant a Licence.

Procedural Guidelines for applications for Licences, Permits and Registrations

43. For the full procedural guidelines relating to applications to the BHA for Licences, Permits and Registrations and procedural guidelines for hearings of the Licensing Committee, where it is considered appropriate to convene a hearing pursuant to the Rules of Racing please visit <http://rules.britishhorseracing.com//> - General Manual (A) Schedule 9.

PRACTICE STARTING STALLS

The responsibility for the approval of proper facilities for the schooling of horses through starting stalls in respect of trainers licensed for Flat races has been placed with the British Horseracing Authority.

Criteria for Properly Schooled Horses

Starters have drawn the BHA's attention to the number of horses which are either difficult to load or are unsettled in the stalls once loaded. Therefore, trainers are reminded of their responsibilities laid down under the BHA Rule (C)48 'Schooling horses for all types of start'. The BHA would expect a properly schooled horse to:-

- load into the stalls without hesitation. Ideally it should enter without the aid of pushers but if necessary no more than two pushers should be required;
- be capable of standing in the training stalls with a horse either side for a minimum of two minutes;
- be capable of standing alone in the stalls for two minutes.

All horses which are to run from starting stalls should have experience of being blindfolded prior to their first appearance on a racecourse.

Specification Recommended by the BHA

When applying for licences to train horses for Flat racing, trainers will be required to confirm that they have readily available access to starting stalls of a design acceptable to the BHA.

Training units based on the STERILINE or RaceTech design of starting stalls are considered to be the most suitable.

These practice stalls are built to the same specification as the Official Starting Stalls used in this country. They have the advantage that they fully resemble in structure and operation the larger units used on the Racecourse.

The units are available in various numbers of bays and the 3 or more horse unit is required. Fully portable or static models can be ordered. They incorporate spring loaded front gates, which may be operated by remote control and have a manual lock which will allow for the release of a fractious horse. The rear gates and front gates operate in the same way as the Official design. Full protective padding is standard and incorporates the additional padding to the front and rear crossmembers and rear uprights.

Minimum Acceptable Facilities

A Three Horse Unit made of steel or a suitable alloy would provide the minimum acceptable facilities for practice starting stalls. As far as possible they are to resemble the type of stall that horses will encounter on the racecourse. However, stalls made of wooden construction may be acceptable provided they are carefully designed with a full superstructure. It should be noted however that there is a risk that stalls made of timber may splinter from a severe impact and this could cause serious injury to horse and rider. Furthermore, wooden stalls have the disadvantage that they do not provide the noise level and the "shake" effect which comes from a stall constructed of steel.

All stalls must be padded to protect the horse and for general safety. They must have front gates capable of being opened to simulate starting and have closable rear gates. Wherever possible some form of quick release should be incorporated in the design to permit the release of a fractious horse.

Situation of Stalls

Stalls should be situated with a lead out of at least two furlongs. They should be sited within a reasonable distance of the trainer's licensed yard, on the gallops, so that they are readily available for schooling horses in the use of stalls and for their general use for practice starts.

Where stalls are not of a portable design they should be positioned on a well prepared surface with a suitable lead out of at least two furlongs.

Use of Stalls owned by other Trainers or in areas where Centralised Training Facilities are used

Annual written confirmation of such arrangements must be produced. The stalls used must be of an acceptable standard.

Where stalls are subject to multiple use suitable arrangements for disinfection must be made.