

## **It's Her City Too – No place for sexual harassment in our society**

## In this issue...

### **Westminster's Women's Night Safety Campaign**

» Page 4

### **Evolution of the Night time economy – what has changed and why?**

» Page 8

### **#LookCloser**

» Page 8

### **Once in a generation reform can't be gambled with**

» Page 16

### **Events - What's On / Online?**

» Page 20

### **Licensing in Aesthetics**

» Page 22

### **Beauty & Aesthetics - why things have to change**

» Page 24

### **Courier Fraud via licensed vehicles**

» Page 26

### **Driving Towards Safety**

» Page 24

### **PHRC proposals for private hire legislative reform**

» Page 28

### **Stop Sweeping Spiking Under The Carpet**

» Page 34

### **Designated Premises Supervisor**

» Page 36

# IoL Regions

[www.instituteoflicensing.org](http://www.instituteoflicensing.org)

© 2023 Institute of Licensing

Email: [info@instituteoflicensing.org](mailto:info@instituteoflicensing.org)

Tel: 01749 987333



This magazine is written, designed and produced by the Institute of Licensing (IoL). © Institute of Licensing (IoL). IoL can accept no responsibility for the veracity of the claims made by the advertisers. The views expressed by article authors are those of the author and not necessarily the views of the IoL.

**The views expressed by article authors are those of the author and not necessarily the views of the IoL.**

# Foreword



By Sue Nelson, Executive Officer

It's Summer (and I wish the weather would take note), so welcome to our Summer Edition of LINK!

We have some great articles in this edition, starting with a look at Westminster's night safety work and 'It's Her City Too' campaign which calls for everyone to do their bit to combat sexual harassment in the ENTE, while Dr Adam Eldridge and Professor Marion Roberts from the University of Westminster take a look at the evolution of the night time economy. Charlotte Meller looks at the detail of the Government's White Paper on Gambling and the implications for land-based gambling – a timely analysis given the current gambling consultations.

Beauty consultant Caron Vetter and Wolverhampton EHO Charlotte Rose offer their insights into the current beauty and aesthetics treatment regime and why things need to change as we wait to hear more about proposals in both England and Wales to address the current lack of regulation. Andy Fox explains how taxi and private hire vehicles may be being used to facilitate fraud and scams aimed at our most vulnerable local residents and how drivers could potentially disrupt such activities, while Anand Dave makes the case for national training standards and David Wilson shares the ideals for reform of taxi and private hire licensing arising from the Private Hire Reform Campaign.

Dawn Dines shares with us her mission to stamp out drink spiking, and last (but never least), Matthew Pickering examines the role of the DPS and the importance of that role in competent supervision of licensed premises.

The articles in LINK represent the views of the authors, and not necessarily the views of the Institute of Licensing, and we are sincerely grateful to our contributing authors for enabling us to provide our LINK magazine. Please consider writing for us. It is a great opportunity to showcase local initiatives, examine specific areas of interest or simply to share your experiences.

Don't forget that we have our National Training Conference (NTC) coming up fast. The NTC will take place at the Crowne Plaza Hotel in Stratford-upon-Avon from 15th – 17th November and we are expecting to sell out of residential places so book early to avoid disappointment and we will look forward to seeing you there.

In the meantime, we are also looking forward to our Gambling Conference which will take place on 11th September at the Hippodrome Casino in London. A fantastic line-up of speakers will look in detail at the potential impact of likely reforms as a result of the White Paper, and we will conclude the day with a tour of the casino. Places are limited so if you are involved in gambling and wanting to join us, book up to secure your place.

Turning our attention to taxi and private hire next, we will visit Northampton on 3rd October for our Taxi Conference, where in addition to a superb list of speakers, we hope to repeat the mock hearing which proved so popular last year! There is always so much to discuss on taxis and private hire and this year is no exception with plans in Wales for reform, revised Best Practice Guidance

We welcome feedback on LINK as your views help us to provide the best publication we can, so don't hold back – let us know what you think and how we can continue to improve our publications. Don't forget that while members enjoy reading a printed version of LINK, the online version is freely available to all, with details provided in our regular eNews updates. For more information, queries or assistance, please get in contact with the team either via email, or phone (contact details are below).

## Contact the Team:

Email for publication queries or article submissions:

**Journal of Licensing:** [journal@instituteoflicensing.org](mailto:journal@instituteoflicensing.org)

**LINK:** [link@instituteoflicensing.org](mailto:link@instituteoflicensing.org)

**General enquiries:** [info@instituteoflicensing.org](mailto:info@instituteoflicensing.org)

Or call us on: 01749 987333

# Westminster's Women's Night Safety Campaign



By Daisy Gadd, Principal Policy Officer at Westminster City Council

IT'S HER

There is no place for sexual harassment in our society. Sadly, we hear all too frequently of instances of sexual harassment, assault or rape happening against women and girls in towns and cities across the UK, with high profile cases hitting the news on what feels like a daily basis.

Looking into our data at the local level in Westminster, we found that over the last year there has been an 11% increase in sexual offences in the borough, with a shocking 84% of those victims being women. Moreover, in a survey we ran, it was found that a third of women in the borough had had a personal experience of street harassment, and 45% reported feeling unsafe at night. Those figures were alarming, worrying and frankly unacceptable and so, as part of the Home Office's Safer Streets fund, we applied for funding to help create meaningful change and to take our stand in tackling sexual harassment and violence against women and girls in Westminster.

Sexual harassment includes lots of different behaviours including wolf-whistling, staring, unwanted sexual advances, sexual comments and innuendos, sexts and unwanted explicit pics, stalking, indecent exposure, upskirting... I could continue as the list goes on and it's very extensive, but you get the point I'm trying to make – it happens in so many forms and it is everywhere. This is not okay, and it needs to change.

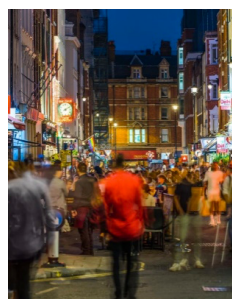
Westminster's ambitious Night Safety programme comprises of 6 core pillars, aiming to tackle the highest level of sexual offences in London, focusing on the evening and night-time economy where the majority occur. Each pillar is crucial to ensuring the safety of women from across London, the UK and internationally at the heart of the country's evening and night-time economy in Westminster.

Here's some more information about the 6 different pillars:

## It's Her City Too

Westminster's It's Her City Too campaign challenges us all to play our part in stopping sexual harassment and taking responsibility for everyone's safety. Instinct will normally tell you when something doesn't look right, or feel right. The campaign asks us to make the choice to challenge someone's behaviour if it feels inappropriate or unwanted. Whether or not you were able to change the outcome of a situation is irrelevant, by becoming an active bystander and intervening in any way you can, you are helping to support potential victims and are being proactive in helping to end sexual harassment against women. That is no simple feat so a genuinely heart-felt thank you. The Suzy Lamplugh Trust offers free one hour training sessions on Bystander Intervention to anyone who wishes to attend. The training enables anyone who witnesses any form of sexual harassment to support the victim and provides guidance on the most practical ways for you to intervene.

## Women's Night Safety Audits



We are pleased to have partnered with Night Time Economy Solutions (NTES) to provide our Night Safety Audit service in Westminster. We have walked our streets with women who live, work, visit and study in Westminster to look at the issues impacting safety and perceptions of women's safety, focusing on things like vulnerability, transport, local services, the public realm, as well as how the area is made to feel safe and welcoming. It's been so interesting doing this reflection piece of work on what Westminster is like at night, and we will be compiling the insights of the audits into a 3-5 year commitment plan to implementing real change in improving women's safety in those areas.



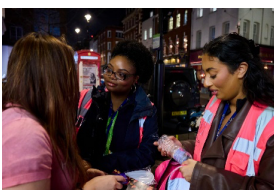
## Night Safe Accreditation Scheme



Working with Six Till Six, our Night Safe accreditation has been developed for businesses in the borough for them to self-

assess how they are approaching safety for women in their venues and what they can be doing to be improve and be at the top of their game. It looks at their commitment to training and support that they provide to their staff, the processes and procedures in place to deal with reporting any incidents of sexual harassment and asks businesses to audit their spaces to maximise safety both inside and outside of their venue. The official launch of our Night Safe accreditation is imminent so watch this space!

## Night Stars



While out at night, anyone can find themselves in a vulnerable situation and needing a friendly, helping hand. Night Stars are a team of volunteers there to help you. Whether you need water, directions, slippers, or someone

to talk to, our team of volunteers will be there for you in your time of need to ensure you get home safely.

## Vulnerability, Women's Safety and Anti-Sexual Harassment Training

Working with NTES again, Westminster City Council has delivered 12 free training sessions to hundreds of business owners and their employees in Westminster, as well as creating e-learning modules for businesses to access at any time that focus on anti-sexual harassment, women's safety and issues around vulnerability.

## Safe Havens



Our vision is for Safe Havens to act as places women can go to for a short break if they need to charge their phones or wait for a taxi to get home

safely, and to support them in moments of vulnerability or on their onward journey. We expect the number of Safe Havens to continue to grow as our campaign gains more traction and as individuals become more aware of the various roles they can play and take part in as part of our programme.

It's Her City Too, and we are doing all we can to stop sexual harassment in Westminster. Hopefully the scale of our Women's Night Safety Programme outlines the zero-tolerance approach we have to any form of sexual harassment on our streets and in our venues. Businesses are being trained on how to identify perpetrators in their venues. Our Night Stars are patrolling the streets looking out for perpetrators, and we are working with the Metropolitan Police to hold offenders to account.

Kerry Simpkin and I, will be doing a talk on Westminster's Night Safety Programme and our It's Her City Too campaign at the Institute of Licensing's national conference in November and so I'm really looking forward to meeting you and talking more about all things women's safety and night safety then! In the meantime, if you'd like to find out more about the programme, just follow the QR code or send me an email at [dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk).





# Versant™ English Language Testing

**Offsite testing with security you can trust.**

Looking to deliver Versant English Language testing?

Our tests let you streamline your recruitment process, evaluating candidates' language proficiency fast, accurately and with reduced human bias.

With the availability of **remote monitoring**, drivers can log in from home to a securely managed, recorded and monitored platform to take their Versant English test.

After the test you will receive:

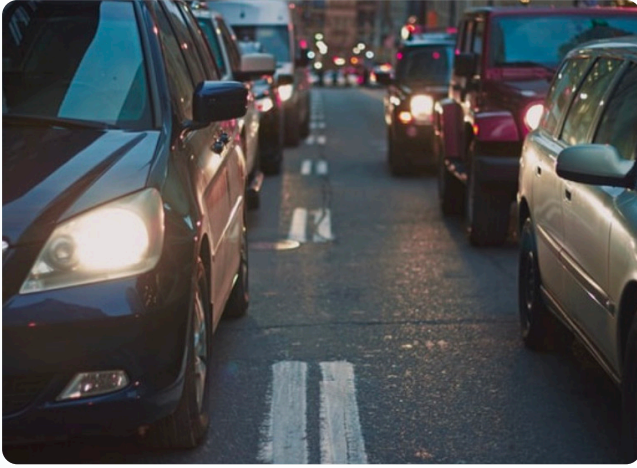
- the **drivers score report**
- plus, a **remote monitoring report**, and
- a **recording** providing a record of any suspicious behaviour.

Giving you the flexibility, insight and security you need.

Contact Helen Kelly on  
07392 282 844 / [helen.kelly@pearson.com](mailto:helen.kelly@pearson.com)

[www.TalentLens.com](http://www.TalentLens.com)





---

# Taxi Conference

3<sup>rd</sup> October 2023

**The Northampton Town Centre  
Hotel by Accor  
(Northampton Town Centre)**

This one day conference will provide a valuable learning and discussion opportunity for everyone involved within the taxi and private hire licensing field, with the aim to increase understanding and promote discussion in relation to the subject areas and the impact of forthcoming changes and recent case law.

We are delighted to confirm that we will repeat the Mock Hearing sessions which proved so popular last year, and we hope to hear from government representatives in England and Wales as well as the major industry representatives on current issues and potential future developments in Taxi and private hire licensing.

Join us to hear from our confirmed speakers, including:

- David Lucas (Chair)
- James Button, J Button & Co
- Jody Kay, Staffordshire Police
- Andy Mahoney MBE, 24 x 7 Ltd
- David Lawrie, National Private Hire and Taxi Association
- Steve McNamara, Licensed Taxi Drivers Association
- Steve Wright, The Licensed Private Hire Car Association
- Matthew Freckelton, Uber

**BOOK ONLINE**

VIA OUR WEBSITE

[instituteoflicensing.org/events](https://instituteoflicensing.org/events)

OR EMAIL US ON

[events@instituteoflicensing.org](mailto:events@instituteoflicensing.org)

# Evolution of the Night time economy – what has changed and why?



By Dr Adam Eldridge and Professor Marion Roberts, University of Westminster

It has now been two decades since the Licensing Act (2003) for England and Wales received Royal Assent. By the time the Act came into effect in November 2005 there were competing claims circulating about its likely impact, especially regarding anti-social behaviour and British town and city centres after dark. Below, we want to reflect on some of the dominant concerns raised at the time and consider what has or hasn't changed. Many of the issues raised reflect our own ongoing research interests over the past two decades; the design, use and development of British high-streets, inclusion at night, and the intersection of policy, culture and urban life.

Perhaps the most prominent concern was whether the Act would help or exacerbate binge drinking and, by extension, the perception that town and city centres after dark had become dominated by intoxicated young people. 'Binge Britain' was a regular subject of news reports and whether the focus was alcopops, hen and stag parties, ladettes, or drunk British teenagers abroad, the underlying concern was much the same – Britain's relationship to alcohol was unlikely to be improved by the opportunity to extend licensing hours. Though stories about 24-hour drinking and mayhem after dark were widely circulated, this was not of course the entire story. The Act was also championed as potentially tackling binge drinking by extending the time of closure and allowing people to drink at their own pace. A further expected outcome was resolving the problem of drinkers all leaving venues at the same time. Anti-social behaviour tended to peak after venues closed as people competed for limited public transport and late-night food provision. By enabling staggered hours and a more manageable dispersal of patrons, it was anticipated that the Act could take some pressure off already limited infrastructure.

In the years since the Act came into effect, some debates and concerns have changed but others have remained much the same. The discourse around binge Britain has declined but the lack of late-night infrastructure remains stubbornly familiar two decades later. London now has a limited tube service on weekends, but in many towns the lack of public transport and public toilets remains much the same. Where changes at night have occurred, it is difficult to disentangle the Act from other broader cultural, policy or economic change. The policies of local government, for example, have shifted, particularly in the big cities. The Mayors of Greater London, Greater Manchester, Bristol and now the West Midlands have each appointed night-time economy advisors. There has been a welcome recognition of the cultural value of nightlife and its contribution to the UK's standing in the world. Many musicians who are now household names started their careers in small pubs and clubs, and there is a greater concern about protecting these spaces. Equally, the closure of nightlife venues for marginalised communities has become more newsworthy. Some claim closures have been a result of over-regulation, although rising rents and property speculation clearly play a part. A new body, the Night Time Industries Association





has become an important voice in issues connected with nightlife. The NTIA represents both 'mainstream' and 'alternative' strands in nightlife. It provides regular updates on the state of British night time hospitality, entertainment and cultural enterprises, leaving policy makers in no doubt as to their significance as regards GVA and employment. Both London and Manchester have adopted policies to encourage the development of night time venues, so shifting from a 'regulatory' approach to that of 'enabling'. London, for example, is now supporting three Night Time Enterprise Zones, following a successful piloting of the concept before the pandemic.

This shift in attitudes has run alongside concern about the state of British high streets. The global pandemic has accelerated a trend towards shopping online. Approximately one third of purchases are now made online. Food and beverage outlets have become one of the steadiest growing segments within the pattern of high street land uses. Commercial leisure is another growth sector and new types of enterprises, such as premises offering board games are appearing.

One of the concerns that was voiced during the passage of the Licensing Act was that it would blur the distinction between bars, pubs and nightclubs. It is hard to know whether this is a result of the Act, or more of a reflection of changes in behaviours and tastes, but nightclubs have now declined in numbers. Though the number of traditional pubs has been in a steady decline for many years, the Act has given pubs more freedom to reinvent themselves, with many providing different types of entertainment combined with a

food offer. The growth of 'micropubs', craft beer shops and micro- breweries has been an interesting phenomenon and appears to be a trend that is likely to become established.

It is still uncertain what impact Covid will have on cities, towns and neighbourhoods. At the time the Act was introduced, some industry insiders speculated that the loosening of regulations would lead to a greater degree of localism in peoples' choices about where to go out. This did not happen prior to the pandemic, rather the reverse, with city centre venues outperforming those in neighbourhoods. Now that a hybrid form of working between home and workplace has been adopted by many white collar workers, it may be that this balance shifts and more licensed premises will open in neighbourhoods and smaller centres.

Looking back to the years around the millennium, it is clear that night-life has gained prominence across a broad range of areas. As well as the night-mayors and annual conferences on nightlife, there is now broader recognition that nightlife is to be protected and nurtured rather than just regulated. The Act was in part about simplifying the regulation of the sale of alcohol, but it was always about so much more than this, from health outcomes and what cities at night should be, to who cities at night were for, and wider aspirations for leisure and high-streets.

Share your trip → Driver profile →  
24/7 customer support → Driving  
hour limits → Speed limit alerts →  
Phone number anonymization →  
Safety toolkit → DBS background  
check → PIN verification → Real  
time driver ID check → Driver  
face covering verification →  
Door to door safety standard →  
Covid-19 checklist →  
**Safety never stops**

Uber



# National Training Conference

15<sup>th</sup>, 16<sup>th</sup> & 17<sup>th</sup> November 2023

**Bridgefoot, Stratford-upon-Avon CV37 6YR**

We are delighted to be holding our signature three-day National Training Conference for 2023 to be held in Stratford-upon-Avon.

Residential bookings sold out last year so book early to avoid disappointment. Please book online or email [events@instituteoflicensing.org](mailto:events@instituteoflicensing.org) to submit your booking request.

Once full we will add residential booking requests to the waiting list. We will then process requests for bookings in date order.

The programme will include the range of topic areas our regular delegates have come to expect, with well over 50 sessions across the three days delivered by expert speakers and panellists.

We look forward to welcoming new and seasoned delegates to the NTC along with our expert speakers and our event sponsors.

Early booking is always advised, and bookings will be confirmed on a first come first served basis.

The Gala Dinner (Thursday evening) is a black tie event, and this year will have an optional 'red, white & blue' theme. Wear something red, white & blue and join in the fun, coloured tie / scarf or an accessory.

The Institute of Licensing accredits this event as 12 hours CPD. 5 hours on Wednesday and Thursday and 2 hours on Friday. (Course Ref: ATC 174677)

With thanks to all our event sponsors!

**FOR MORE INFORMATION OR TO BOOK ONLINE, CLICK HERE**

[instituteoflicensing.org/events](https://www.instituteoflicensing.org/events)

# #LookCloser



by James Simmonds-Read, The Children's Society

Across the country, young people are being manipulated, sexually abused, forced to launder money and deal drugs. Exploitation isn't obvious. But it happens everywhere. Knowing the signs and ways to report concerns is critical. James Simmonds-Read explains The Children's Society's award-winning #LookCloser campaign supported by the British Transport Police and NPCC National County Lines Coordination Centre.

## What is child exploitation?

**Children and young people who are being exploited may not always look or act vulnerable. If something doesn't feel right, it may not be.**

It can happen anywhere, and any child can be exploited. By learning to spot the signs and how to report them, we can keep children safe from this abuse.

When someone builds a relationship with a child to manipulate them, this is known as grooming. It happens online and offline. The child may then be sexually abused, forced into labour, made to launder criminal money, or coerced into transporting drugs or stealing from shops. These are types of child exploitation.

Young people are targeted at fast food outlets, shopping centres and parks. They are forced to travel on trains, buses, coaches and use roadside services for rest stops. It can also happen 'behind closed doors' in hotels, salons, car washes. Or online through gaming platforms and social media.

**Remember children should never be made responsible for preventing their own exploitation.**

Therefore, it is vital that our actions focus on disrupting those exploiting these children.

## Why should businesses #LookCloser?

Licensed businesses are a vital part of every community, and business owners, operators and employees are in a unique position to help to create safe spaces for young people that are free from exploitation:

- Child exploitation is happening everywhere and its only by everyone in society working together, that we can protect children from harm.
- Criminals use business platforms and spaces to groom and exploit children, therefore we need businesses to work with us to stop this.
- Businesses have the power to reach and influence huge audiences. We want businesses to work with us to encourage customers and colleagues to #LookCloser.

Visit our website [childrenssociety.org.uk/lookcloser](https://childrenssociety.org.uk/lookcloser) to find out more about the campaign and specific signs of exploitation you can look out for within these industries and more:

- Taxis, ride shares, private vehicles
- Delivery Services
- Hotels, rented accommodation and caravan parks

# If something doesn't feel right, it might not be.

Travelling alone in school  
hours or late at night?

This could be a sign of  
child exploitation.

If you are concerned about a child's  
safety, call **101** or **999** in an emergency.

On a train or at a station, text  
British Transport Police on **61016**.

Or get advice from the NSPCC on  
**0808 800 5000**.

[childrenssociety.org.uk/lookcloser](https://childrenssociety.org.uk/lookcloser)



Follow the  
QR code to  
learn the  
signs of child  
exploitation.



## #LookCloser



The  
Children's  
Society



## Spotlight on Taxis, Ride Share and Private Hire Vehicles

Taxis, ride shares and private hire vehicles are sometimes used to transport young people for the purpose of abuse and exploitation.

As a driver you may overhear concerning conversations a young person is having on the phone. The act of abuse or exploitation may not be visible but the control, coercion, grooming and its impact on a young person may be.

Whilst sharing a vehicle with a young person, you may be the only one to hear and observe signs of exploitation and abuse.

### As a driver, #LookCloser for a child or young person:

- Travelling alone? Unfamiliar with the local area?
- Travelling at unusual hours (during school time, early in the morning, or late at night)?
- Travelling to multiple destinations in one day or night?
- Travelling long distances and paying for a journey that is expensive and would seem unrealistic for a young person to afford themselves
- Paying for journeys in cash or prepaid? Carrying lots of cash?
- Anxious, frightened, angry, showing signs of neglect or displaying other behaviour that makes you worried?

## Case Study

### Taxi driver

A taxi driver collected a young person waiting alone at a train station taxi rank. The driver noticed that he seemed very young and did not have a local accent. The young person provided a destination he had been sent by an adult on social media. The taxi driver recognised these as indicators of exploitation and returned to the train station immediately and flagged down police. The police then intervened, preventing the young person from meeting this adult and coming to harm.

### Some ways to start a conversation:

'You look lost. Do you need some help?'

'Hi. Are you alright? Where are you off to today? Where have you travelled from today?'

'I hope you don't mind me saying, but you seem a little upset? Can I help?'

## 9th-13th October: #LookCloser campaign week

Our next week of action will be taking place in October, and we would love for you to get involved!

This week of action will have a particular focus on Night Time Economy. Many cases of child sexual exploitation involve fast food outlets as meeting places and taxi firms and hotel rooms are often used in the abuse of children after dark (The CSA Centre of Expertise).

However, we know this isn't limited to child sexual exploitation and these businesses are also used to facilitate other forms of criminal exploitation, such as County Lines.

### What can you do?

1. Distributing our posters, leaflets, stickers and business cards across your organisation and display in prominent places to help us spread the word.
2. Using our social media assets to share our campaign online.
3. Share the messages within our #LookCloser learning for businesses resource with your colleagues and commercial partners while also sharing the overall campaign messages available on our #LookCloser webpage more widely.

The Children's Society's Prevention Programme have a network of Prevention Officers working across England and Wales. Please get in touch with us to see how you can get involved in #LookCloser in your region at [prevention@childrenssociety.org.uk](mailto:prevention@childrenssociety.org.uk)

# #LookCloser

# Join the professional body for licensing practitioners across the UK:

- Local and national networking
- Promoting good practice, learning and partnerships
- Break down barriers - promoting mutual understanding
- Professional journal and other publications
- Training, events, news and information
- Personal and Organisation memberships available
- Make the Institute of Licensing YOUR professional body

## Membership Fees

The membership year is from 1st April to 31st March

### Personal

Associate  
**£72**

Individual  
**£82**

### Organisation

Small  
**£310**

Medium  
**£465**

Large  
**£615**

For more information contact us:

[membership@instituteoflicensing.org](mailto:membership@instituteoflicensing.org) or call us on 01749 987 333

# Once in a generation reform can't be gambled with



By Charlotte Meller, The Gambling Business Group

Charlotte Meller looks at the detail behind the Government's White Paper and analyses the implications for Local Authorities and the landbased gambling entertainment industry.

## The White Paper on gambling reform was finally published at the end of April – is it what your members were hoping for?

On balance I think it is: of the 15 key changes that Gambling Business Group (GBG) members asked for from the Government's review of the Gambling Act 2005, 12 were included in the White Paper. The GBG is fully supportive of the introduction of a Gambling Ombudsman that is genuinely independent of all components of the industry, is funded from the current Licence Fee regime, and whose activities and evidence can be used to inform future gambling legislation and regulation.

A core aim of the GBG is to improve on the social responsibility obligations that the gambling industry delivers in order to better protect the vulnerable - as a consequence we welcome the proposals around Age Limits – the industry already voluntarily operates Think 25 even though the LCCP requirement is for Think 21. We also agree that 'cash-out' slot style Category D machines should only be played by over 18's - again our members have been doing this on a voluntary basis since 2021.

The statutory levy is an area where the detail is key and we are pleased that the APPG on Gambling Related Harm agrees that it needs to be a smart levy, taking the differences in

overheads into account for different gambling sub-sectors.

Any calculations relating to contributions to Research Education and Treatment should be made after costs are taken out to ensure the proposal is equitable.

GBG members would like to see a formal obligation placed on those responsible for commissioning these increased funds, to include independent evaluation and audit of spending to ascertain whether it has been spent responsibly and effectively.

## Why is the White paper so important to the industry?

Our goal is to improve the land-based gambling industry and consumer environment for all, with social responsibility at the heart of everything that we do.

Even though the title of the White paper 'Gambling reform for the digital age' suggests that the 2005 Act needs overhauling due to the growth in online gambling the land-based sector has also changed massively in those 18-years and so changes are needed in order for our members to continue to meet consumer needs and to put social responsibility first.

Gambling legislation must have the flexibility to be updated in



line with technological advances, digitisation and consumer trends - so we welcome the proposal for sandbox testing/ planned pilots for concepts under certain conditions, with the close involvement of the Gambling Commission.

With technology advancing so quickly it is important that regulations can adapt and respond to changes in order to provide the maximum protection to the vulnerable including minors and those who wish to self-exclude.

The current legislation prohibits the use of Debit Cards for gaming machine play when the rest of society has largely moved away from cash transactions in favour of digital or cashless payments. – so it was good to see the inclusion of a commitment to explore options for cashless payments providing the appropriate player protections are in place

### **The language used by the Secretary of State was quite sympathetic towards the land-based sector why do you think that was the case: has the narrative changed?**

I think the narrative has at least shifted: the language was much more empathetic and understanding of a sector which has a strong track-record for delivering safer gambling, which has the highest 'know your customer' undertakings and which fulfils a key role in communities throughout the country. High Street operators took a massive financial hit during COVID at a time when people could still play on line. Many players who migrated online have not returned with the result that many premises have been forced to close. Rising business

costs, interest rates and rampant inflation have created a perfect storm and I believe that the Government recognises that the machine sector faces an extremely challenging future. It should also be noted that because the price of machine play is set by law it's not possible to pass on additional costs to consumers.

### **Can you outline the next stages and when can we expect to see changes in regulations?**

There is a huge volume of work to be done some of which will be led by the DCMS and some by the Gambling Commission involving a mix of primary legislative changes, secondary regulations as well as the Licence conditions and Codes of practice LCCP which is in the Commission's gift to change. The Government's mantra of 'when Parliamentary time allows' is a concern given the dwindling number of weeks before the next general election.

We are expecting a number of consultations from DCMS and the Gambling Commission to start appearing from summer 2023 with more scheduled for the autumn.

Clearly, we do not want land-based changes to lose out to online which account for a large proportion of the proposals. There are a lot of unanswered questions. For example, even after consultation when will changes be implemented – do we have to wait for all the consultations to be completed? DCMS has suggested they want changes in place by summer 2024 but the Commission has indicated a 3-year timetable which includes evaluation.

How will any potential changes impact Local Authorities? Local Authority (LA) responsibilities under GA05 only extend to the land-based sector but elected members will no doubt welcome the tightening of rules around the online sector, an area where they don't have any control.

The land-based changes will mean more work for LAs – whether its updating information in Statements of Policies (SoP), information on their websites, considering whether a CIA is appropriate, and also potentially some training on inspections as there will be changes to look out for when undertaking visits for example the 80/20 rule moving to a 50/50 ratio and cash pay out slot style Cat Ds changing to over 18s only and LAs will welcome the proposal to review the premises fee cap: fees have not changed since 2007 and LAs will need to update information on payment systems and websites.

The DCMS want LAs to make greater use of their Statement of Policy and do to more inspection and enforcement work. We have already been engaging with local regulators to facilitate visits/training in our members' venues most recently with the Met Police in a London Adult Gaming Centre and LAs in Motorway Service Areas and we are keen to extend that offer to other LAs.

DCMS believe the existing powers available to LAs is broad



– however they have introduced the concept of CIAs – which will be familiar from the Licensing Act 2003. DCMS is not removing the 'aim to permit' premise which means that LAs will need to familiarise themselves with the guidance and approach to these once they are introduced.

## What do you think the impact will be on local communities?

I don't think the look and feel of the high street will change significantly – the more pronounced changes will be seen in the online space.

Changing the levy from voluntary to mandatory should mean more money going into Research Education and Treatment which should provide easier access to gambling support and treatment services.

There will be a new Avenue for consumers to raise complaints through the proposed independent Ombudsman. The industry has been challenged to put this in place by next summer – with Government keen to keep the option to regulate on this. There will be significant changes to regulations covering marketing of gambling including a safer gambling proposal which will mean consumers seeing new and consistent educational information both online and on the high street.

## What was missing from the White Paper?

From an industry perspective there is no provision for a regular review of stake and prize levels on gaming machines, the last review which ironically is referred to as the Triennial actually took place over a decade ago.

There were no changes impacting the pub sector as DCMS was not minded to increase the threshold at which local authorities need to individually authorise the number of Category C and D gaming machines in alcohol licensed premises. – primarily due to the low pass rates of age verification testing. From a LA perspective there was some desire to see the inclusion of a public health objective. Some wanted the 'aim to permit' principle removed enabling them to refuse new gambling premises. CIAs are proposed instead to complement existing LA powers.

## How is the Gambling Business Group engaging with government at this vital stage?

We are engaging with DCMS at the highest levels including the Ministerial Round Tables and contributing evidence-based arguments throughout the consultation process. GBG chairs the Gambling Expert Group which includes representatives from Government, Gambling Commission, the LGA, NALEO and IOL as well as other trade associations. As well as submissions to the CMS Select Committee inquiry and the Gambling Related Harm APPG inquiry and we hosted DCMS at our summer Board Meeting.



# Gambling Conference

11<sup>th</sup> September 2023

**The Hippodrome Casino,  
Cranbourn Street, London**

We are delighted to visit The Hippodrome Casino, Leicester Square for our Gambling Conference on 11th September 2023.

The event will increase the delegates' awareness of current issues relating to licensed gambling premises and other gambling-related topics relevant to licensing and responsible authorities.

We will hear from government, regulators and industry about the consultations currently arising from the White Paper, particularly those relating to land based gambling. The conference will conclude with a tour of the Hippodrome Casino.

Places are limited so don't miss out - join us for a fantastic programme with expert speakers including:

- Sarah Fox, DCMS
- Simon Thomas, Hippodrome Casino
- Peter Hannibal, Gambling Business Group
- Nick Arron, Poppleston Allen
- Kerry Simpkin, Westminster City Council



**BOOK ONLINE**

VIA OUR WEBSITE

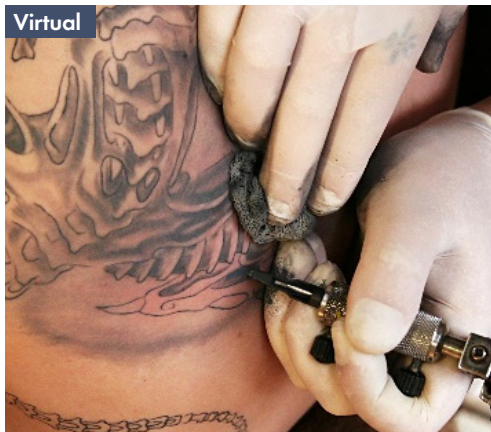
[instituteoflicensing.org/events](https://instituteoflicensing.org/events)

OR EMAIL US ON

[events@instituteoflicensing.org](mailto:events@instituteoflicensing.org)

# Events - What's On / Online?

We are delighted to offer the following training courses which can be booked online or via email to [events@instituteoflicensing.org](mailto:events@instituteoflicensing.org)  
<https://www.instituteoflicensing.org/events>

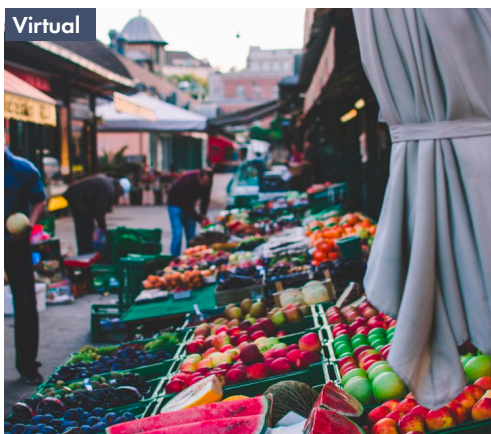


## Acupuncture, Tattoo and Cosmetic Skin Piercing

7<sup>th</sup> September 2023

Online via Zoom

This training course is aimed at those officers who process and administer applications for acupuncture, tattooing and cosmetic skin piercing and those who carry out inspections at premises providing these services.



## Street Trading (Outside London)

15<sup>th</sup> September 2023

Online via Zoom

The one-day training course will cover the licensing regime and aspects of enforcement for street trading outside London.



## Scrap Metal

Updated course - now includes enforcement

18<sup>th</sup> September 2023

Online via Zoom

The course will explain the workings of the Scrap Metal Dealers Act 2013, how it works and how the renewal process is applied. It will also look at the workings of the Act and secondary legislation, together with the Guidance and puts it all in a practical context.

## Contact the IoL team

Email: [events@instituteoflicensing.org](mailto:events@instituteoflicensing.org)  
or telephone us on 01749 987 333



## Zoo Licensing Course Two Day Practical Zoo Licensing Course

4<sup>th</sup> & 5<sup>th</sup> October 2023

**At Yorkshire Wildlife Park,  
Doncaster, North East**

A super two-day Zoo Licensing course with both practical and theory aimed at those who carry out zoo inspections and / or administer the applications. The course covers all elements of Zoo Licensing from application to inspection and the licensing process.



Virtual

## Professional Licensing Practitioners Qualification

5<sup>th</sup>, 10<sup>th</sup>, 12<sup>th</sup> and 17<sup>th</sup> October 2023

**Online via Zoom**

The training will focus on the practical issues that a licensing practitioner will need to be aware of when dealing with the licensing areas covered during the course (See Agenda for full details).

The training is ideally suited to someone new to licensing, or an experienced licensing practitioner who would like to increase or refresh their knowledge and expertise in any of the subject matters.



## Animal Enforcement Training

19<sup>th</sup> October 2023

**St Phillips Chambers,  
Birmingham, West Midlands**

The one-day course will build confidence and knowledge to any delegate who deals with animal enforcement.

# Licensing in Aesthetics: Ensuring Safety and Standards in Non-Surgical Cosmetic Procedures



By Caron Vetter, Beauty Therapist and Consultant

Licensing in aesthetics in the UK plays a crucial role in regulating non-surgical cosmetic procedures to ensure patient safety and uphold industry standards. While there is currently no specific licensing requirement for practitioners, discussions and proposed changes aim to strengthen regulations and increase patient protection. This article explores the importance of licensing, the role of professional bodies, and the need for clear guidelines in the field of aesthetics.

**Ensuring Qualified Professionals:** While non-surgical aesthetic procedures like Botox, dermal fillers, chemical peels, and laser hair removal do not currently require a specific licence, it is essential for practitioners to possess the necessary skills and knowledge to perform these procedures safely. To meet this need, various professional bodies and organizations

offer training courses and certifications. Individuals seeking aesthetic treatments should prioritize choosing practitioners who are properly trained and experienced.

**The Role of Professional Bodies:** The Joint Council for Cosmetic Practitioners (JCCP) and the Cosmetic Practice Standards Authority (CPSA) are leading organisations in the UK that aim to regulate non-surgical cosmetic procedures and establish industry standards. They work toward creating a register of practitioners who meet specific criteria, including appropriate training, qualifications, and adherence to professional guidelines. These bodies collaborate with regulatory authorities and professional associations to improve standards and enhance patient safety in the aesthetics field.

**The Importance of Clear Guidelines:** As the aesthetics industry experiences significant growth, it becomes crucial to establish clear guidelines for licensing in aesthetics. These guidelines should encompass educational requirements, premises inspection and management, hygiene practices, patient





care, management of complications, and record keeping. Additionally, having a certificate in special procedures infection prevention and control can further ensure safe practices. An ethical framework for the use of prescription-only medicines is also essential. Non-medical practitioners should receive comprehensive training that covers mental health assessment, contraindications, and management of potentially life-threatening complications.

**The Need for Future Developments:** The licensing debate in aesthetics continues to evolve, and it is important to establish comprehensive guidelines for the future. With a growing number of providers offering both regulated and unregulated treatments, the industry needs strong standards to ensure patient safety and uphold ethical practices. These developments may include clearer educational requirements, standardised premises inspections, mandatory infection prevention and control training, and guidelines for managing complications. A collective effort from regulatory bodies, professional associations, and practitioners is necessary to achieve these objectives.

**Conclusion:** While licensing in aesthetics in the UK does not currently require a specific licence for non-surgical cosmetic procedures, efforts are underway to strengthen regulations and improve patient safety. Professional bodies like the JCCP and the CPSA are



working towards establishing industry standards and promoting best practices. However, clear guidelines that encompass educational requirements, premises management, hygiene practices, patient care, and complications management are necessary for the future of licensing in aesthetics. By continuing to enhance regulations and ensure qualified professionals, the industry can prioritise patient safety and maintain high standards of practice in non-surgical cosmetic procedure.

# Beauty & Aesthetics - why things have to change



By Charlotte Rose, Environmental Health Team Leader, Wolverhampton Council

Charlotte tells us about some of her experiences, and why she has been a passionate campaigner for better regulation in this ever-growing industry for several years now. She is hoping she can now finally see light at the end of the tunnel.

For a very long time, we have witnessed constant changes in non-surgical cosmetic treatments available in high streets across the country. Body piercing establishments have moved from simple piercings to some offering re-shaping ears, tongue splitting and nipple removal while traditional beauty parlours now offer nose re-shaping and face lifts in addition to standard nail polish and hair trim treatments.

Beauticians and aesthetic practitioners are stepping into a world of the unknown when it comes to risks and complication management. There is currently no regulated training system in place. Instead, we're seeing an increase in half-day / one-day courses being delivered by unaccredited or uncertified trainers. These extremely short courses are delivered with no pre-requisites and inadequate and or incorrect content; giving their learners a false sense of security that they are able to deliver these high-risk invasive treatments safely.

In Wolverhampton we have taken on some challenging cases over the years, many through re-active complaint work. We are proud to be one of the leading authorities in setting standards for a safer high street for the people of our city and beyond. The 'Dr Evil' extreme body modification case was the first case of its kind to make it an offence to remove nipples, ears, and tongue splitting under the Offences Against the Persons Act 1861, unless carried out by a GMC registered person for medical reasons.

I'll never forget the day when that complaint landed in my inbox, it stood out! A small team of us pulled together, and we ran a joint investigation alongside our colleagues in West Midlands Police, instructing an expert in the field of ear, nose, and throat surgery, and later serving a Prohibition Notice under The Health and Safety at Work etc Act 1974. The case concluded with a prison sentence for Brendan McCarthy (Dr Evil) and set a precedent for local authority regulators and Environmental Health Officers to work with for future complaints and investigations.

Since then, I've seen a major shift in the wide array of treatments available. I believe social media has a key role to play in this, constantly delivering images of how people think they should look. Those that work in the aesthetics industry know that there are many grey areas around regulation, and they feel the need to push their boundaries, to expand on their remit of services, without recognising the potential irreversible or even fatal consequences of their actions.

I've investigated a wide variety of complaints over the years, including severe burns from misuse of a laser device, resulting in keloid scarring; misuse of prescription medicines, such as Vitamin B injections, and Botox botulinum; and more recently, an increase in the use of Rentox, an unlicensed Botox botulinum product from South Korea, which is readily available for sale on the likes of Instagram and such. There are also some worrying concerns with practitioners cutting corners with sterilisation and re-useable hand tools. Some are using cheaper and unsafe alternatives to an autoclave, to reduce the impact of costs. Reducing costs are a priority over safety.

Our recent work, which hit the media with an almighty bang, centred on another interesting and challenging investigation. We began looking into the treatment referred to as the Brazilian Butt Lift, a process of injecting Dermal Filler into the buttocks. We worked with some great stakeholders on this case, including the Chartered Institute of Environmental Health, Joint Council for Cosmetic Practitioners, British Association of Aesthetic Plastic Surgeons and the Department of Health and Social Care, who were all fantastic in supporting us with their knowledge and expertise.

From the very first day that I visited one of our premises offering the treatment, I knew in my gut that I had to do something to stop this treatment from being undertaken by the wrong hands. I





Photo by Vlad Egorov on Unsplash

wasn't initially aware of the risks associated with the procedure, how could I be, I'm not a medical expert. The expert we engaged confirmed to us that the risks of this procedure going horribly wrong could be fatal, including sepsis or even a pulmonary embolism. We needed to gain insight into how suitably qualified persons would undertake this treatment and in what environment, including details of their training, use of prescription drugs, the consultation process, equipment, and complication management. This took time, and challenges with obstructive behaviour, but in the end, I was able to evidence through expert advice why this treatment had to be prohibited when undertaken by someone who wasn't suitably qualified. A Prohibition Notice was subsequently served and the procedure was stopped from being undertaken at the premises or at any other site in Great Britain.

There is still no standard licensing regime, and the Health and Safety Executive does not identify aesthetics as a priority area of work for us to address on a proactive basis. We rely heavily on complaints and intelligence and can't stress enough how important it is that people to come forward to their local council to report concerns and or injuries.

With complaints being the basis of our work in this sector, we've used our existing powers to the best of our ability, looking at duties under health and safety at work. This includes the duty to risk assess and highlight the ways in which employers and self-employed persons should undertake their work. We insist employers ensure, so far as is reasonably practicable, that employees and persons not in their employment who may be affected thereby are not thereby exposed to risks to their health or safety.

I've been lucky in that I'm supported by a fantastic team of managers and leaders who recognise the importance of our work. Although investigations have been resource intensive, including costs for expert medical opinions, we know that we're putting public safety at the heart of our work, and that we're making a difference.

## Things need to change

During the All-Party Parliamentary Beauty and Wellbeing inquiry in 2020, I submitted evidence on my experiences and thoughts in terms of better regulating the industry. My thought processes were exactly as announced last year, through the amendment to the Health and Care Bill, proposing a Licensing regime, for both a premises and practitioner for non-surgical cosmetic procedures, such as Botox and fillers.

As a minimum, we want to see safer working environments, similar to those in medical clinics, with basics such as good hand washing facilities, equipment sinks, readily cleansable walls and floors, safe storage and removal of clinical waste, and adequate ventilation. Many premises don't have these as a minimum. We want to see the Royal College of Surgeons re-classify certain treatments as surgery, including but not limited to PDO and COG threads, buttock, genital and breast augmentation. These treatments should be undertaken only by those who are GMC registered, and capable of delivering such high-risk treatments safely. Then there needs to be regulated training as a minimum, including infection prevention and control, first aid, and supervision/oversight by a medical practitioner for treatments such as fillers and Botox. I'd also like to see those on the Nursing Midwifery Council register included in scope for licensing, to make it a fair and consistent approach.

We need to better inform the public, including the implementation of a government approved register, where people can view approved licensed practitioners and help them be better informed when choosing to undergo certain treatments. Applying age restrictions to certain invasive treatments will also continue to protect children from harm.

The DHSC certainly have a challenge on their hands, and I'm pleased to have been able to help them with their work so far. The profession is certainly looking forward to seeing what lies ahead, and we hope that our work is making a difference not only in Wolverhampton, but across the United Kingdom.

# Courier Fraud via licensed vehicles



by Andy Fox, Counter Fraud Co-Ordinator for Yorkshire and Humber Regional Organised Crime Unit.

## Andy Fox explains how fraudsters use taxis and private hire vehicles to defraud the most vulnerable out of tens of thousands of pounds.

Courier fraud occurs when a fraudster contacts victims by telephone claiming to be a police officer or bank official. Victims are asked to assist in an investigation by attending their bank and withdrawing money or foreign currency, or purchasing an expensive item to hand over to a 'courier' for examination who will also be a fraudster.

Courier Fraud will typically follow one of the below patterns

- 1. Bank card expiry:** Fraudsters claim to be from the victim's bank and say their card is no longer valid. They ask for the pin number and then send a "courier" to collect the card before using it for fraudulent purposes.
- 2. Purchasing high value items:** Suspects pretend to be police, asking victims to help an undercover operation by purchasing watches, jewellery or gold.

Once purchased, a courier will come to collect the item.

- 3. Counterfeit cash/bank investigation:** A person claiming to be a police or banking official informs the victim that they need to help with a banking corruption investigation. The victim is told to withdraw a large amount of money and the cash is picked up later by a courier to "check for fingerprints or to identify counterfeit bank notes".

Gangs specifically target the most elderly and vulnerable and will sometimes order taxis to take these victims to and from the bank to withdraw cash.

Once cash is withdrawn, couriers will travel by trains originating from London. They will either book a taxi from the train or hire the first cab in the rank on arrival. The courier will then direct the taxi to the victim's address and instruct it to wait nearby as they attend the front



Photo by abi ismail on Unsplash

door so as not to witness the courier collecting cash from an elderly victim. The courier may not give the exact address but just a postcode. The courier then returns to the taxi after only a few minutes (usually carrying a package) and return to the train station where they will board the next London bound train. It is not unknown for couriers to make several stops and ask to be driven long distances and these journeys are paid for in cash sometimes paid for from the package they have just collected.

Even though they are claiming to be police or other 'officials', couriers will not be smartly dressed and can often be young people. The courier will often attempt to hide their identity by wearing a hood or covid mask.

The reasons given for these journeys will be vague, e.g. a family emergency to not trusting the reliability of the rail service.

Victims will believe they are assisting the police and will be sworn to secrecy by the caller. They will be given a cover story, such as getting money for a relative so as not to alert suspicion but will probably appear nervous

or unsure. Losses will be substantial, amounting to tens of thousands of pounds.

As a result, our licensed drivers for taxi and private hire vehicles are in an excellent position to spot potential fraudsters, and are asked in the first instance to be aware and vigilant about the potential for individuals to be using their vehicles for the purpose of courier fraud.

- Where drivers suspect they are transporting a courier, they should (when safe to do so), call the Police on '999' passing on their taxi VRM, location and destination. The relevant Force control room will deploy the appropriate resource and response.
- Taxi drivers are also asked to raise awareness amongst their everyday elderly passengers and to also consider unusual repeat fares to local banks. Should such fares be identified then taxi drivers are again requested to contact the Police.

This crime has a devastating effect, and the courier journey is a key time to intervene and protect victims.



# Driving Towards Safety: The Case for a National Training Standard in the UK Taxi and Private Hire Industry



By Anand Dave, Business Development Manager at Safety as a Standard

In the fast-paced and ever-evolving UK taxi and private hire industry, safety should be a paramount concern for all stakeholders. However, the current landscape is fragmented, with each local council implementing its own training standards, resulting in a lack of consistency, and potentially compromising the safety of drivers and passengers alike. This article advocates for the adoption of national standards for training across the UK, highlighting the need for a unified approach, the importance of addressing critical areas often overlooked, and the positive impact it can have on the industry.

## Firstly, who is Safety as a Standard and our commitment to raising the industry safety standards?

Safety as a Standard is dedicated to promoting and enhancing safety standards within the taxi private hire, hackney, and wider ground transportation industry. Our unwavering commitment lies in ensuring the highest level of safety for both passengers and drivers.

We understand the importance of prioritising safety in every aspect of the industry. Our mission is to provide comprehensive training programmes and resources that empower industry professionals to uphold and surpass safety standards.

Through our initiatives, we aim to cultivate a culture of safety by equipping individuals and companies with the knowledge and skills necessary to navigate potential risks and challenges. We are actively involved in shaping the industry's future and supporting the drive towards a much-needed unified national training standard.

We believe that safety should be the norm, not an afterthought, making safety a fundamental aspect of the taxi and private hire industry, building a safer and more reliable transportation experience for all.

In an ideal world everything would be perfect, well many of us would like to think so, however, unfortunately that does not happen to be a reality therefore let's investigate the crucial areas that we as an industry need to bring in a change:

## Unifying Training Standards for Enhanced Safety

To ensure the safety and well-being of all drivers and passengers, a unified national training standard is imperative. The current system of diverse and sometimes substandard tick-box training provided by different local councils creates confusion and hampers the industry's ability to uphold safety as a top priority. By establishing a single, comprehensive training standard, we can eliminate the discrepancies and ensure that all drivers receive the necessary knowledge and skills to navigate potential risks and challenges effectively.



Photo by Johan Funke on Unsplash

## Enabling National Mobility and Pooling of Resources

A national training standard offers numerous benefits beyond safety alone. It enables drivers to work and relocate freely across the country, eliminating the barriers created by varying local training requirements. This flexibility empowers drivers to seize opportunities in different regions, ensuring the availability of taxi services even in areas experiencing driver shortages. Additionally, it allows fleet owners to pool drivers from various regions, optimizing their resources and enhancing operational efficiency.

## Addressing Vital Areas Often Overlooked

Critical areas are often neglected in existing training modules. These vital topics include suicide prevention, awareness of stalking behaviours and their impact, the significance of CCTV usage, gaslighting awareness, basic adult life support and knife crime awareness. By incorporating these topics into a national training standard, we equip drivers with the knowledge and skills necessary to navigate and prevent potential threats, ultimately ensuring the safety of both drivers and passengers.

## Thought-Provoking Awareness for Positive Change

A national training standard not only addresses immediate

safety concerns but also fosters thought-provoking awareness within the industry. By promoting open discussions and education on crucial topics, such as mental health, diversity, and discrimination, we create an environment that prioritizes empathy, understanding, and inclusivity. This not only enhances driver and passenger experiences but also contributes to the positive social impact of the taxi and private hire industry.

## The Need for Consistency and Universality

The current segregation of training requirements among different local councils raises the question: Why should training programmes like safeguarding differ between different authorities? A national training standard ensures consistency and universality, offering equal opportunities and protection to all drivers regardless of their geographic location. It establishes a level playing field, allowing drivers to operate with confidence and passengers to trust in the professionalism and capabilities of their drivers, regardless of where they hail a taxi.

## Fostering Growth and Attracting New Talent

A national training standard is not only vital for safety but also essential for the future growth of the industry. By adopting a comprehensive and industry-focused training platform, we create an environment that encourages new drivers to enter the profession, ensuring a fresh influx of talent. The reputation of the industry as a safe and supportive career choice will attract individuals who may have been hesitant to join previously, thus addressing the ongoing driver shortage and ensuring the longevity and sustainability of the taxi industry.

## Overall Perception

In conclusion, the adoption of a national training standard is not just a matter of necessity; it is a critical step towards creating a safer, more inclusive, and prosperous taxi industry. By unifying training requirements, addressing vital areas of concern, promoting thought-provoking awareness, and fostering growth, we can shape an industry that prioritises the well-being of drivers and passengers, while also attracting new talent and adapting to the changing needs of our society. Let us unite in driving change and making safety a universal standard across the UK taxi and private hire industry.



Further information upon Safety as a Standard (SaaS):  
<https://saas-org.co.uk/>

If you have any questions, please email:  
[anand.dave@saas-org.co.uk](mailto:anand.dave@saas-org.co.uk)

# PHRC proposals for private hire legislative reform



By David Wilson, Licensing Consultant and Legal Author

The Private Hire Reform Campaign (PHRC) is an unincorporated association, formed in 2012 by private hire operators, for the sole purpose of pursuing legislative reform of the private hire trade.

Legislative reform is long overdue – in 1999 Lord Justice Kennedy said, “the law needs to reflect the current state of technology and not be 23 years behind it”<sup>1</sup>. And, of course, the law is now 47 years behind the technology!

The following summarises the PHRC’s views as to how legislative reform might be achieved, as well as what those changes ought to be to bring it up to date and to make it flexible, so that it can be kept up to date and fit for purpose in the future.

- Updating the current legislation by a Legislative Reform Order<sup>2</sup> made by the Secretary of State for Transport may be quicker, cheaper and more effective than embarking upon the protracted process of enacting new legislation.
- The legislative reforms should make extensive provision for regulations to be made by the Secretary of State for Transport, which will provide the flexibility that is required to enable the licensing regime to be kept up to date and fit for purpose in relation to the standards and conditions for licensing vehicles, drivers and operators<sup>3</sup>.
- The existing two tiers – hackney carriage and private hire – should be retained, not because doing so protects the historic and long held rights of the hackney carriage trade to ply for hire, but because it helps to provide the best availability of on-demand transport services some of the

public still want to use.

- Restricted private hire driver and vehicle licences should be introduced for school and social services transport, utilising the existing powers in relation to vehicle licences of section 75(1)(d)(ii) and / or section 75(3) of the 1976 Act.
- National standards – not national minimum standards – because we effectively have minimum standards at present, and this can lead to drivers and operators licensing with a licensing authority other than the one where they intend to work or operate. Ultimately there is no rational reason why driver, vehicle and operator standards should differ from district to district – everyone, wherever they are, should be entitled to the same level of protection. We acknowledge that further consultation will be necessary in relation to the detail, but these proposals are intended to be high level.
- A national regime with national licences delivered locally by licensing authorities – Transport for London (TfL) and district councils unless provided by a Transport Authority or Combined Authority – largely in the same way as alcohol and entertainment is now licensed under the Licensing Act 2003.
- Nationally set fees for the grant of a licence and annual fees will also eliminate the temptation for members of the private hire trade to license with a licensing authority because its fees are significantly lower than those of the licensing authority they might ordinarily have licensed with.
- As with the Licensing Act 2003, all forms, notices and procedures would be prescribed by the regulations to be

<sup>1</sup> *Murtagh and Carter (t/a Rubery Rednal Cars) v Bromsgrove District Council* [1999] *Independent*, 29 November, QBD

<sup>2</sup> Under the provisions of the *Legislative and Regulatory Reform Act 2006*

<sup>3</sup> The regulations will provide the detailed framework for private hire licensing. They might, for example, specify the standard for a vehicle to be licensed as a private hire vehicle, detailing such matters as age, emissions, seating capacity, glass standards, requirement for CCTV, etc and might also specify the frequency of vehicle testing. In relation to drivers, regulations might specify the tests to be passed, such as English language, mathematics, licensing law, etc and might also provide for what, if any, convictions a person might have and still be licensed. At this stage, the PHRC considers that the matters to be addressed by such regulations would need to be subject to extensive consultation with the trade and other stakeholders.



made by the Secretary of State for Transport.

- Anyone who “in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle”<sup>4</sup> or a hackney carriage should be required to obtain an operator’s licence.
- An operator’s licence should be required irrespective of whether the operator is based in England, elsewhere in the UK, EU or the world if they are inviting bookings for licensed vehicles in England.
- Rather than attempt to create a statutory definition of plying for hire, it would be simpler, clearer and more enforceable to provide that:
  - No person may provide a vehicle with up to 8 passenger seats for hire and reward unless the vehicle, driver and operator are licensed.
  - A private hire vehicle may only be used to undertake a booking received from a licensed operator if the driver is also licensed.
  - A hackney carriage may undertake any work for hire and reward, irrespective of how that hiring is arranged, so long as the vehicle and driver are licensed and, unless the hiring is booked with a licensed operator, the hire must be contracted in the relevant licensing district.
- The adoption of national private hire vehicle, driver and operator standards will eliminate the historic need for all licences to be issued by the same licensing authority, so there would be no reason why an operator in Area A and licensed by Licensing Authority A should not use a private hire vehicle licensed by Licensing Authority B and driven by a driver licensed by Licensing Authority C. A national database of all licence holders will be required.
- Operators should be required to license with the licensing authority for the area in which their premises (or main premises) are situated and in the case of an operator based outside of England, they shall be required to license with any English licensing authority. All operators must keep electronic records and be able to provide them electronically to any licensing authority on request.
- Operators should be licensed for life (and will pay an annual maintenance fee as well as paying fees on application and grant), but there should be the power to suspend or revoke an operator’s licence with immediate effect and without the right to continue to operate pending the hearing of an appeal by a magistrates’ court<sup>5</sup>.
- Vehicle proprietors should be required to license with the licensing authority for the area where the proprietor resides or, if a business, any address from which such business trades. Licences would be valid for 12 months, as they are now. Fees would be payable on application and on grant / renewal.
- Private hire drivers should be required to license with the licensing authority for the area in which they reside at the time of application, but unlike the Licensing Act 2003, should they move to live in another licensing authority area, they would be required to transfer their licence to that new licensing authority. Fees would be payable on application and grant and there would also be annual maintenance fees. Hackney carriage driver licences

<sup>4</sup> The definition of ‘operate’ provided by the Local Government (Miscellaneous Provisions) Act 1976, s 80(1)

<sup>5</sup> This power is already available to Transport for London by virtue of the Private Hire Vehicles (London) Act 1998, s 17(2)

would continue to be issued by the licensing authority for the area in which the hackney carriage stands and plies for hire.

- Driver licences should be issued for 10 years (as per passports and DVLA licences), subject to greater enforcement / disciplinary powers, particularly in relation to suspension and revocation, providing for:
- Monthly criminal record checks.
- Annual DVLA checks (and monthly checks if facilitated by technology).
- Interim immediate suspension by the police or any licensing authority, without the right to work pending appeal, to allow for the investigation of serious complaints about driver conduct or serious criminal offending.
- Interim immediate suspension by any licensing authority, without the right to work pending appeal, to allow for the investigation of medical concerns that the driver might not currently meet the DVLA Group 2 medical standards.
- Upon review by the issuing licensing authority, an immediate suspension may be continued to another date for review, withdrawn, or replaced by a revocation on notice or with immediate effect.
- Suspension by the issuing licensing authority, on notice with right to work pending appeal, in all other circumstances.
- Revocation, on notice or with immediate effect, by the issuing licensing authority in all cases.
- The issuing licensing authority, subject to national guidance, might also require drivers to undertake remedial training, etc.
- Appeals against the interim immediate suspension or immediate revocation of a driver's licence or operator's licence will lie to a magistrates' court. In all other cases the driver or operator may request the licensing authority to undertake an internal review<sup>6</sup> or appeal to a magistrates' court and, if the driver or operator opts to pursue an internal review, they will then still be entitled to bring an appeal before a magistrates' court.
- Licensing authority authorised officers, like police officers, will be empowered to check any licensed vehicle and its driver wherever the vehicle may be<sup>7</sup>.
- Police officers and authorised officers will be empowered to issue non-criminal Penalty Charge Notices (PCN) in respect of a wide range of licensing contraventions and Fixed Penalty Notices (FPN) in relation to criminal / motoring offences, such as using a vehicle with a defective

tyre or using a mobile phone, etc. In relation to those PCNs and FPNs issued by a licensing authority authorised officer, the charge or fine will be payable to the licensing authority whose authorised officer issued such notice. This approach will ensure that in the major towns, cities and conurbations to which the public resort, the licensing authority will be able to afford to undertake effective compliance and enforcement to ensure that standards are maintained in its area.

- If a licensed vehicle – hackney carriage or private hire vehicle – is not in a roadworthy condition (that is to say that as a result of such defect it would not pass an MOT test), as well as or instead of issuing a FPN, a licensing authority authorised officer or police officer may also suspend the vehicle licence with immediate effect and seize the vehicle licence plate. The licence will remain suspended until such time as the vehicle has passed an MOT test and the proprietor has been issued with a replacement plate by the licensing authority by which the vehicle is licensed. Licensing authorities would be empowered to seize vehicles.
- It is acknowledged that many of these proposals require or would, at the very least, benefit from a national database of vehicles, drivers and probably also operators. Such a database has already been partially developed by the LGA (Local Government Association) and the costs of further developing that database (or another) should be met by the licensing authorities from their fee revenue. The NR3S database should, at the very least, be expanded to include the recording of a driver surrendering or not applying to renew a licence when facing investigation and / or disciplinary action in relation to any matter.

The PHRC does not generally call for or propose legislative reform in relation to hackney carriages, but the above proposed reforms would necessitate some consequential provisions to be made in relation to hackney carriage licensing, namely:

- A licensing authority may enhance, but may not lower, the standards for hackney carriages and hackney carriage drivers that are prescribed by regulation for private hire vehicles and private hire drivers. For example, in relation to hackney carriages, a licensing authority might require all such vehicles to be wheelchair accessible and, in the case of hackney carriage drivers, they might be required to take and pass a local topographical knowledge test.

The PHRC is grateful to the IoL for providing the opportunity to raise awareness of its proposals in this publication and would welcome constructive feedback via an online survey at <https://tinyurl.com/PHRCsurvey>. If other organisations would like to partner with the PHRC in the hope of persuading politicians to pursue legislative reform, please contact the PHRC at [phrc@post.com](mailto:phrc@post.com).

<sup>6</sup> As now required by the Regulators' Code [BRDO/14/705], Code 2.3

<sup>7</sup> By virtue of the Local Government (Miscellaneous Provisions) Act 1976, s 32 Any power to execute works which is conferred on a local authority by any enactment may, unless the contrary intention appears in that or any other enactment, be exercised outside as well as inside the area of the authority.



# the purpleguide

to Health, Safety and Welfare at Music and Other Events

## The official guidance for organising outdoor events in the UK

*Widely used by event organisers, local authorities and enforcement agencies across the UK*

Published by  
The Events Industry  
Forum



Recognised by  
the HSE



For further information visit  
[www.thepurpleguide.co.uk](http://www.thepurpleguide.co.uk)

# Stop Sweeping Spiking Under The Carpet



by Dawn Dines, Founder of Stamp out Spiking

**S**tamp Out Spiking is a registered charity in England and Wales (Registered Charity No. 1203101). Its mission is to raise awareness on spiking issues, and ultimately stamp out spiking across the UK and internationally. Founder, Dawn Dines tells us why she thinks spiking should be a criminal offence in the UK.

Many people know someone who has had their drink spiked. Thankfully, most cases of spiking don't end tragically... but they can. Rape, robbery or even death are all potential outcomes, so the consequences can be utterly devastating. I have been campaigning against this crime since 2004, and I established Stamp Out Spiking in 2019.

Reports of spiking has become prevalent throughout the UK, but it is not currently a criminal offence in its own right. Spiking happens in many forms including through vapes, drinks, food and injection, and its consequences can be fatal. I believe that spiking is hugely under-reported at present, and we have heard allegations of spiking when listening to thousands of victims' stories. It is impossible to know the true scale of the problem without a specific offence code to report the data, so as things currently stand, we have no way of recording or analysing the extent of this crime and how many lives spiking is really damaging.

## Why a Change in the Law is Important

We believe that the government review must not conclude without a change in the law. The benefits of a specific offence code include:

- **Public Confidence** - If the Home Office recognises spiking as a crime in its own right, the social landscape can be changed to support victims and supply the

public with the knowledge and confidence to recognise and report spiking.

- **Zero Tolerance** - A change in the law will send a message of "zero tolerance" and act as a deterrent to potential perpetrators. Spiking doesn't always lead to a more serious crime, but it does always leave physical or mental health impacts with the victim.
- **Actionable Data** - With a specific offence code, all reports of spiking would be recordable in their own right. This would result in the true extent of the crime being known, and the police will be able to dedicate resources to tackling the crime.

In December 2022, the Home Office consulted about whether the Section 182 guidance should be updated to include references specifically to spiking in licensed premises. We haven't yet heard the results or the government's response to the consultation. The consultation document stated 'We have... committed to explore whether making some additions to the section 182 Guidance which accompanies the Licensing Act will enable us to achieve our aim of raising awareness of spiking, encouraging those applying for licences to thoroughly consider what, if any, measures they need to put in place to deter spiking, and to ensure that licensing authorities are giving due regard to issues around spiking when considering applications.'

## A National Approach

Stamp Out Spiking believe that spiking should be tackled with a national approach – instead of responsibility being put on Local Authorities and venue licence holders, many of which are already struggling in the current economic climate and lack the full range of powers to be able to prevent, investigate and prosecute this horrendous offence.

## What can venues do?

First and foremost, licence holders should ensure that they and their staff are aware of the issues around spiking. There are many free resources out there to help, including signage and posters, including on the Stamp Out Spiking website.

Stamp Out Spiking also offers a public awareness video highlighting the dangers of spiking, potential symptoms, and the impact that it can have. These videos are available to share via social media channels and on business platforms. In addition, we offer a 20-minute online training course aimed at bar staff and a more thorough 2-hour training course for venue managers and other senior staff.

Our training will include information about anti-drink spiking devices, such as StopTopps, NightCap and Spikeys, and consumer advice such as "Ask for Angela." This is all

intended to ensure that venues are well equipped to deter spiking on their premises, and to respond appropriately in the case of a spiking allegation, ensuring that the victim is treated professionally, the allegation dealt with appropriately and efficiently, and the premises maintaining a good and trustworthy reputation as a result.

## Membership of Stamp out Spiking

While Stamp Out Spiking continue to campaign to change the law, we can also offer membership for licence holders with a toolkit of information and support to ensure that spiking is not just swept under the carpet.

Stamp Out Spiking Members will receive access to our expert spiking awareness and prevention materials including a spiking HR Toolkit, venue risk assessment, policies and immediate response processes, awareness posters and our quarterly newsletter.

Please feel free to get in touch, if you require any further information on membership please contact [info@stampoutspiking.org](mailto:info@stampoutspiking.org), or for training enquiries, please use [training@stampoutspiking.org](mailto:training@stampoutspiking.org)



# Designated Premises Supervisor



By Matt Pickering – Licensing Team Leader, Blaby District Council

The role of a Designated Premises Supervisor is to “supervise”, but what does this mean? And what does “effective supervision” look like?

## From Apprentice to Master

In September 2009, I began my career in local government as an Enforcement Officer. Duties and responsibilities, of course, included all things Licensing Act 2003 (LA03).

To understand the technicalities and complexities of the LA03, objectives within my initial probation encouraged me to visit as many licensed premises as possible that were on my ‘patch’, approximately 120 premises.

As an inexperienced officer, visiting so many premises in such a compact period as well as being responsible for the regulation and enforcement of those same premises, it was an apprenticeship of great value. I developed knowledge and confidence of the LA03 quickly, whilst also building excellent relationships with the trade, identifiable those persons in positions of responsibility: Designated Premises Supervisors (DPS).

Fast forward to the present, as a Team Leader who still visits licensed premises speaking to each DPS about their duties and responsibilities, it might be fair to say that the apprentice has become the master.

Yet despite my experience, only recently have I curiously considered the meaning of “supervisor” relative to the title and responsibilities of a DPS, and furthermore, attempted to identify and define “effective supervision” in practical, measurable terms.

## The DPS - duties, responsibilities, and behaviours

In summary of the LA03 and Section 108 Guidance, the first thing

to note about any premises authorising the sale of alcohol is that a DPS must be in place - to supervise. Thereafter it is expected that the DPS:

- Is a key person
- Should be identifiable immediately (to responsible authorities)
- Is the person responsible for the operational management of the premises
- Is expected to have a high degree of management competency
- Must be able to demonstrate / evidence their supervisory responsibilities
- Understand that ineffective supervision can have serious and harmful consequences

However, significant words and phrases, specifically those highlighted above, still cause questions to be asked about their practicability. Referring to the Oxford dictionary helps to understand further:

- Supervisor - someone who supervises people or things
- Supervision - is an activity: something being done practically and physically
- Manage/Management - is about being in control (of people, things, activities, and the place)
- Competence - is about doing it well
- Demonstrate - showing something clearly by giving the required proof or evidence

Furthermore, and although not mentioned in the LA03 or Section 108 Guidance, there are several behaviours and skills that can be expected of a DPS:



- Confident / Assured / Assertive - to see confidence and belief in their abilities to supervise
- Knowledgeable - of the business, the law, best practice, the conditions associated to the premises and premises licence
- Communication - a good communicator
- Decision maker - can reliably make decisive, correct, decisions when required
- Proactive - to act quickly and with initiative
- Lead by example - is the DPS a qualified or experienced leader (leading has its own set of complex skills)
- Public / Customer safety - everything a DPS does to supervise and manage a premises should be with public safety in mind, to uphold the Licensing Objectives

Therefore, taking all of the above into account, we may perhaps define “effective supervision” as:

*A combined result of the DPS actively managing, controlling, and leading the premises and its staff to ensure that the objectives of the business are delivered successfully, including, and importantly, the will of the individual to uphold the Licensing Objectives.*

*A DPS should demonstrate evidentially that they are able to deliver and produce the desired results correctly, safely, and consistently, applying their knowledge, experience, and skills with confidence and assurance.*

Importantly, this definition can be tested and measured. A standard LA03 inspection form will often record evidence of: overt authorisation procedures for the sale of alcohol; age verification policies and processes; staff training records covering a range of topics; that CCTV is working correctly and staff are appropriately trained to use it; that other mandatory and operating conditions are being complied with; refusal and incident logs are available and up to date; as well as ensuring that licences (personal and premises) are on display, to hand, and up to date.

While it is recognised that not all of the above measures are legally required, and may not be a condition of a premises licence, the absence of, or a lack of evidence demonstrating competence, can still give rise to enforcement action, and thus, the consequences of “ineffective supervision” can have serious implications for all concerned.

## Consequences of “ineffective supervision”

“You are only as good as your last show” - Oprah Winfrey

A “Christmas Safer Nights” compliance inspection at a licensed premises on a busy Friday night mid December 2019 by myself and Police colleagues, with a DPS who was someone held in high regard for operating a tight ship at a premises known for accommodating difficult clientele, was passed seamlessly. All the necessary requirements on my LA03 inspection form were ticked. Public safety had been prioritised in preparation for the busiest and most enjoyable period of the year. Trust and confidence had been established and “effective supervision” could be competently demonstrated by the DPS. Ready to celebrate the Christmas and New Year period, memorably, he wished us “peace on earth and goodwill toward men” as we concluded the inspection.

By the following Monday afternoon, both the Police and I had negotiated his indefinite removal from the premises. An application to vary the DPS followed shortly after.

Circumstances in which the DPS congratulated a violent offender after breaking another man’s jaw and leg, and then allowing said offender to enjoy the rest of his night while an injured, innocent, victim sat outside in the rain and cold awaiting an ambulance – which wasn’t called for or organised by the DPS, identified particular behaviour that not only undermined the Licensing Objectives, but also our trust. Despite this behaviour being the only example of demonstrable failure, the ineffectiveness of his due diligence to protect and support the customers (victim) in his care, warranted a proportionate response.

It was a perfect testament to one of Oprah Winfrey’s famous quotes; “you are only as good as your last show”. On this showing, “effective” to “ineffective” supervision in less than 24 hours.

## Conclusion

The supervisory responsibilities of a DPS are diverse and complex. They are the key person for ensuring premises are operated and managed correctly and safely, and importantly, must competently demonstrate their effectiveness consistently. There is no doubt that being a DPS is a challenging role given the range of skills, expertise, and behaviours they are expected to learn and apply. Yet, despite the challenge, it is extremely encouraging that most do a fantastic job in the performance of their duties and responsibilities. So, by defining “effective supervision” in practical, measurable terms, not only does this support the significance of their duties and responsibilities, but it may also help responsible authorities to qualify an “effectiveness” threshold, which legally at this moment, doesn’t exist.



# BTEC Level 3 Award in Animal Inspectors (SRF)

## COURSE DATES

GROUP 15 (182420): 14<sup>th</sup>, 26<sup>th</sup> September & 10<sup>th</sup>,  
19<sup>th</sup>, 31<sup>st</sup> October & 9<sup>th</sup> November 2023

Online via Zoom, Virtual



The IoL's BTEC Level 3 Certificate for Animal Inspectors (SRF) is accredited by Pearsons, an OfQual Awarding Body.

The course will provide learners with all the knowledge and skills they require to be able to competently carry out their duties under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

The course includes 5-days of training delivery, and learners are required to complete written submissions and practical inspection assignments which are evidenced within their learner portfolio. Learners have 12 months to complete the course following enrollment, and additional tutorial sessions are available if needed.

## Course Modules

Course content includes:

- Legislative overview
- Dog breeding
- Premises that hire out horses
- Home Boarding
- Kennel Boarding
- Day care (dogs)
- Premises that sell animals as pets
- Premises keeping or training animals for exhibition and dangerous wild animals



For more information on course dates and to book a course please contact the team via [events@instituteoflicensing.org](mailto:events@instituteoflicensing.org) or call us on 01749 987 333

# The Jeremy Allen Award 2023



**Don't miss a chance.  
Nominations close on the  
8th September.**

This award is open to anyone working in licensing and related fields and seeks to recognise and award exceptional practitioners.

Crucially, this award is by 3rd party nomination, which in itself is a tribute to the nominee in that they have been put forward by colleagues in recognition and out of respect to their professionalism and achievements.

The nomination period for the 2023 award runs from 12th June and nominations are invited by 3rd parties by no later than 8th September 2023.

Please email nominations to [info@instituteoflicensing.org](mailto:info@instituteoflicensing.org) and confirm that the nominee is aware and happy to be put forward. For full details including the nomination criteria, please [click here](#). We look forward to receiving your nominations.

## Celebrating our previous JAA winners



2022  
**Yvonne Lewis**



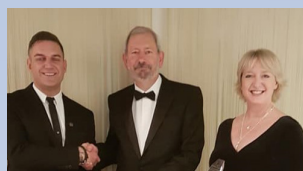
2021  
**Andy Parsons**



2020  
**No Award** due to Covid-19



2019  
**David Lucas**



2018  
**Stephen Baker**



2017  
**Claire Perry**



2016  
**Bob Bennett**



2015  
**Jane Blade**



2014  
**Alan Tolley**



2013  
**David Etheridge**



2011  
**Alan Lynagh**



2012  
**Jon Shipp**

# Link



Institute of  
Licensing

## Membership Renewals are now overdue

To renew please contact the team via  
[membership@instituteoflicensing.org](mailto:membership@instituteoflicensing.org)

## Not a member?

Make IoL your professional body:

- Network with industry, regulatory, and legal professionals
- Share information, views and promote mutual understanding and professional
- Respect
- 12 Regions covering the whole of the UK
- Bespoke Training
- Receive regular eNews updates and publications including the **Journal of Licensing** and **LINK Magazine**

If you have any questions please email  
[membership@instituteoflicensing.org](mailto:membership@instituteoflicensing.org)  
and one of the team will be happy to assist.