

**It's just not acceptable  
for anyone with a visual  
impairment to be treated  
as a second-class citizen**

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# IoL Regions

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# Foreword



Words by  
Daniel Davies

It's such a pleasure to be writing the foreword for this edition of LINK, in the knowledge that the publication of LINK 12 will coincide with the start of the Institute's National Training Conference (NTC). All being well, it will be waiting on the registration desk for our delegates on their arrival as we return to the Crowne Plaza Hotel in Stratford-upon-Avon!

This year's NTC will be the 25th National Training Conference, also marking 25 years for the organisation since its inception in 1996 as the Local Government Licensing Forum (LGLF), a product of a meeting fittingly held in a pub. The development of the organisation since then has been fantastic and is a lasting tribute to the time and effort given voluntarily by so many over the years. This is still very much the case, and we are hugely grateful to everyone who contributes to this wonderful organisation.

November will mark another brilliant milestone for the IoL. It will be the 10th Anniversary of the launch and first edition of the Journal of Licensing. A special tribute must be made to all those on the editorial team, alongside our regular feature authors and all others who contribute to the Journal. It is now firmly established as a pre-eminent publication for licensing practitioners.

This 12th Edition of LINK is packed with articles on a wide range of topics, and the cover is a photograph of a mural in New Brighton which I commissioned from Aches, a Dublin based Irish artist as a tribute to Guide Dogs for the Blind. The organisation was originally founded in New Brighton by Muriel Crooke and Rosamund Bond eighty years ago in 1931. The first article in this edition is a stark reminder of the continuing challenges and discrimination faced by people using assistance dogs, as Dan Williams tells us about his experiences and the reality of ride refusals with the impact that they have on his life every day.

Also in this edition, Steve Alton, CEO of the BII highlights the intense difficulties still facing the hospitality industry, and in particular the Great British pub. Landlords have accumulated massive debt to stay open, despite Government funding and now face years of repayments, while also facing the chronic resource shortages. They also have to deal with noise vs vibrancy issues which have increased dramatically since reopening, exacerbated by increased use of outdoor areas. I've given some insights into 'life on the frontline' in this edition following my decision to move into the heart of the Victoria Quarter so that I can experience first-hand any impact from my licensed premises.

We are delighted to cover the relaunch / rebranding of Ask for Angela. It was my pleasure to attend the rebranding event hosted by the Metropolitan Police and Safer Business Network in October. The Ask for Angela campaign has been around now for many years, and it is in place in New Brighton along with a newly established Pubwatch scheme (I was honoured to accept National Pubwatch's Award of Merit on 19th October!). Simple messaging is key, and I hope that the Ask for Angela campaign will soon be established across the country and within retail and transport as well as hospitality venues.

Jeremy Phillips QC has written an excellent overview of the Protect Duty which was central to the recommendations of Manchester Arena Inquiry Chairman, Sir John Saunders, in Volume 1 of his Report. Jeremy assisted the Inquiry alongside the IoL in relation to licensing considerations. We await the outcome of the Protect Duty consultation, and any licensing impacts.

Recent regional meetings have highlighted the questions around online alcohol sales and home deliveries, and we are pleased to include an article from Alcohol Change UK, as well as an industry perspective from the Retail Alcohol Standards Group.

Enjoy this edition of LINK, and as ever please let us have any suggestions of future articles. Consider writing for LINK - we welcome your contributions!

# The reality of ride refusals



Words by Dan Williams, founder of Visualise Training and Consultancy and visual impairment rights campaigner.

Every time I request a taxi, I can feel the anxiety in the pit of my stomach as I know exactly what the scenario will be before it has even happened!

I'm suited and booted, looking forward to a good night out with friends, only to find that the taxi driver has cancelled my ride or even arrived, then driven off, because I have a guide dog.

I arrive late and stressed due to having to book another ride. I have a good time, but towards the end of the evening that negative feeling is once again stirring in the pit of my stomach. I wonder if I'm going to be able to get home okay and if my friends will have to hang around waiting, because I have been refused yet another taxi ride home.

I am your average Joe Bloggs so I should be able to hail a cab like anyone else. There is one small difference; my guide dog Zodiac who acts as my eyes, my guardian angel, the one who keeps me safe from harm, from bumping into people, A-boards, lamp posts, and the odd drunk walking my way.



He accompanies me on business trips and lays under the table quietly while I'm in a meeting or delivering training. He goes into restaurants which can occasionally cause a problem if the staff aren't aware that assistance dogs are allowed, but requesting a taxi is a completely different ball game.

The usual scenario: Request a cab, job accepted, let them know politely that I have a guide dog, taxi job is then cancelled by the driver. This can often happen two or three times before a journey is accepted by someone who either understands disability discrimination, the Equality Act or is simply fine with having an assistance dog in the car. This has been ongoing for three years and has become the bane of my life. It's just not acceptable for anyone with a visual impairment to be treated as a second-class citizen.

I prefer taxi hailing apps as I know exactly where the cab is and how long it is going to take to arrive. I can zoom in on my phone and see the make and model of the car and the name of the driver which provides extra safety for anyone classed as a vulnerable adult.

Refusals are predominantly from app related cabs, but I also have refusals from other private hire and hackney drivers. The usual excuses are dog hair, health reasons (despite being unable to provide a certificate of exemption) or sometimes due to religious reasons.

I have been in a taxi where the driver is part of the Muslim faith, he explained he was shortly going to the Mosque, agreed to take my fare, but asked that I not allow the dog or his nose to touch him or his clothes. I sat in the back of the taxi on this occasion with Zodiac quietly resting at my feet. I respected this gentleman's faith, culture and wishes, so why do people not respect my needs?

Should I go down the route of not saying I have a guide dog, the taxi will arrive at the pickup point and then a heated debate will take place regarding Zodiac. It generally results in me having to educate the taxi driver about the Equality Act 2010 and that they could lose their taxi licence if they refuse me a ride and face a fine of up to £1,000.00. Even at this point, they will use every excuse under the sun not to allow me into their taxi and some even drive off! Imagine how utterly

demeaning, frustrating and embarrassing this is, especially in front of business contacts, who are not used to this form of discrimination. Most are appalled at the rudeness of drivers when they experience a single episode; little do they know that I come across this as much as two or three times in one day.

On one occasion, I educated a taxi driver, and after much arguing and deliberation he allowed me into his taxi. That 20-minute ride was the most uncomfortable journey I've ever taken, and the atmosphere could be cut with a knife.

There have even been times when I've considered giving Zodiac back as I've felt so low, distressed and discriminated against. I feel that sight loss charities and government are not doing enough to educate drivers to stamp it out for good. There needs to be a massive change as it's depleting my mental health and no doubt countless others. This happens to me daily, and these are some of the excuses I've heard:

"You'll need to pay more,"

"I'm scared of dogs."

"It's going to bite me!"

"I don't want the car getting covered in dog hair,"

"I can't have a dog near me before I pray."

"It's against my religion to have a dog in my car."

"I'm afraid of dogs, I was once bitten"

I hear myself saying "You provide a public service and you've probably had about 40 muddy feet, unhygienic passengers, food, drink, people with coughs and colds in your taxi in just one day."

It's surprising, too, how many drivers will suddenly develop a nasty sneezing cough when we approach.

"I'm allergic," – cough, splutter, sneeze – "to dogs."

"Can you show me your medical exemption certificate please," I ask.

The allergy has just started up that minute.

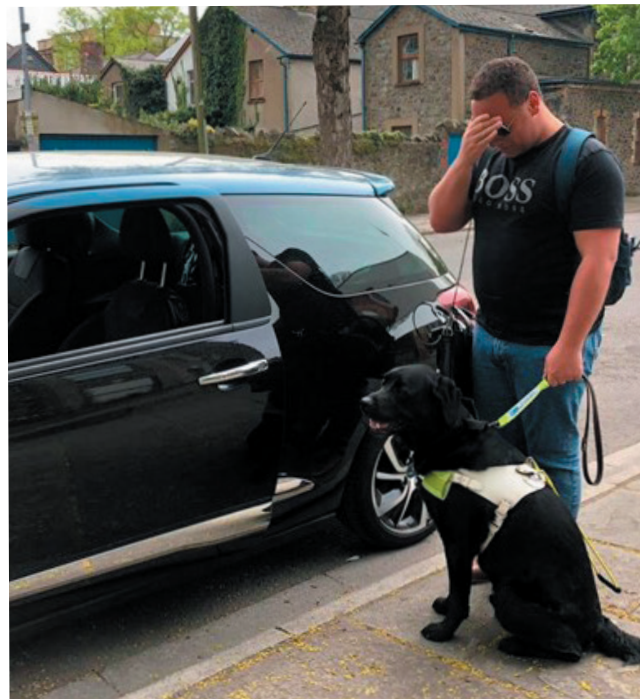
They've lost the certificate and applied for a new one.

"Waiting for it to arrive in the post or have left it at home"

Quite a few drivers haven't a clue what a guide dog is for in the first place.

To be fair, there are some great taxi drivers out there. They are friendly, helpful and make Zodiac and I feel welcome. We need more of these.

Guide Dogs, the charity, estimate that 75% of guide dog owners are refused access. Disability Equality Training should be compulsory for taxi drivers. It is stressful, tiring and very



Photos by Visualise Training and Consultancy ([www.visualisetrainingandconsultancy.com](http://www.visualisetrainingandconsultancy.com))

difficult when I know before I hail a taxi that I may have to speak to six drivers before one will agree to take me...and my dog.

This is an under-reported crime, to report every taxi driver who has refused me would result in a full-time job, why is the onus on the individual to report? Why is driver training not standardised nationally to maintain high service levels?

I have been asked on numerous occasions "did you film the incident", "did you take a picture of their badge number", "did you record their registration number". Can you imagine how difficult this is for a person living with a visual impairment? No hands free, holding a guide dog on a harness, carrying a briefcase, maybe a suitcase, it's no mean feat trying to get all that information with your hands full.

## What are the Solutions?

- Advertising, TV adverts, soap operas could all be utilised, perhaps if the public saw guide dog owners more often in the media the discrimination may not happen.
- Mystery shopping carried out by local authorities; this discrimination would be witnessed first-hand.
- Governmental policies implemented.
- Reported as a Hate Crime and not a Hate Incident by the police.
- All organisations, sight loss charities, Guide Dogs for the Blind, local authority taxi licence departments, training companies and the public should be working in partnership to eliminate this discrimination that continues to happen daily.

To find out more about disability awareness training for your organisation, email [daniel@visualisetrainingandconsultancy.co.uk](mailto:daniel@visualisetrainingandconsultancy.co.uk)



# Behind the smiles, the stark reality facing our Great British pubs



Words by Steve Alton

Our Great British pubs, at the heart of every community, are part of our national heritage and have always been the envy of the world. Their very future now hangs in the balance as they start on the road to recovery after 18 months of closure or severe trading restrictions. Once viable and vibrant businesses, they are now facing years of recovery and for many they are seriously considering just giving up entirely.

What is clearly missed by many is that the majority of UK pubs are independently operated. Led by entrepreneurs, they provide essential skilled employment in every community and support many local businesses, not least the fantastic local brewers that bring unique products to our pubs with regional beers. These are not corporate giants with extensive financial resources, they are small local business supporting livelihoods and homes.

The financial realities for pubs are stark; loss making for nearly a year and a half, many have used all their personal savings including pensions to stay afloat. Despite Government support, many have also had to take additional debt of around £40,000 and are now facing significant cost increases for food, drink and utilities. Nearly 60% will take over two years to pay back debts with half of these expected to take more than five years. The long awaited start of the road to recovery is now also being severely impacted by chronic staff shortages, wage inflation and whole teams isolated by NHS Test & Trace leading to further trading losses.

The true value of our nation's pubs is too quickly overlooked. In fact many feel that they have been demonized through the pandemic as a risk to public health despite the compelling evidence to the contrary. Pubs provide tangible social value in every community in tackling many key social issues including the chronic impact of loneliness and isolation. A recent study by Loughborough University demonstrated that for every £1 invested in community pubs they delivered £9 in social value. This is why we at the BII care so passionately about our nation's pubs, they are at the heart of our social fabric connecting us all.

What makes our nation's pubs so very special is that they provide a unique space in our communities where we come together to celebrate, commiserate and to simply catch up. However, pubs are just bricks and mortar without a great Landlord or Landlady and their team. They have reached out to their communities throughout the pandemic providing essential support and services particularly caring for the vulnerable, all of this whilst their doors were closed. We



Photo by Collin Armstrong on Unsplash

have seen the enormous contribution they make within their communities and we at the British Institute of Innkeeping have proudly recognized over 130 examples of this outstanding work through our Heart of the Community Award.

Our sector is led by entrepreneurs who are optimistic in nature, however, this alone will not be enough to safeguard our nation's vital pubs. They will need ongoing support particularly as their key summer trading has been devastated through restrictions and 'pingdemic' closures. The existing support packages must be extended, particularly a full business rates holiday until April 2022 for English venues, continued VAT at 5% and a specific beer duty cut for pubs to help drinks led community pubs who have suffered most heavily. This is an investment in viable businesses, with over 900,000 people employed in the pub sector, and with an average pub generating £140,000 per year in revenues to the Treasury, it is one that will be quickly repaid.

We have been taking the voices of our members throughout the pandemic directly to Government and I am encouraged to see the economic and social contribution of pubs recognised at the heart of the recently published Hospitality Strategy, the first ever. We will continue to work closely with Government to ensure that this strategy is turned into action to safeguard our nation's pubs. Our sector offers significant value to the nation's economic recovery through skilled employment,

careers and opportunities for entrepreneurs to build great businesses in every community.

They will need help now more than ever from all stakeholders including local authorities as well as central Government. It will take time for many to rebuild their teams, retrain them and meet all of the operational standards that we expect of great pubs. They will also need every opportunity to diversify in order to rebuild their fragile businesses and they will need support and collaboration to make this happen. At long last our pubs have been formally recognized by Government that their fortunes are central to our economic recovery, the rebuilding of our high streets, are a critical element of tourism across the UK whilst also providing an essential community space for all. They deserve our support.

The smile greeting you at your local pub is very real and so is the threat to their very existence.

Steven Alton is the CEO of the British Institute of Innkeeping, a professional membership organisation for individuals in the licensed trade with around 10,000 members. Their clear purpose is to keep pubs thriving at the heart of every community.

# Re-launch of WAVE Training and Ask for Angela



Words by Rita King and Phillippe Chiarella, Safer Business Network

The Safer Sounds Partnership, part of the Safer Business Network, has joined with the Metropolitan Police Service and the Mayor of London and licensed venues across the Capital to help keep people safe while enjoying a night out.

After lockdown, London's bars, clubs and other licensed premises are busy and numbers are expected to increase with 18- and 19-year-olds not having experienced the night-time economy.

A new **Welfare and Vulnerability Engagement (WAVE) programme**, including WAVE Training and the 'Ask for Angela' initiative is now being rolled out to venues across London with new assets for customers and staff teams. People who feel unsafe, vulnerable or threatened can seek discreet help by approaching staff and asking them for 'Angela'. This code-phrase will indicate to staff that they require help with their situation and a trained member of staff will then look to support and assist them. The venue can then support the vulnerable person through an appropriate intervention.

Venues can also now access the refreshed WAVE training. Delivered by Safer Sounds and Metropolitan Police licensing officers, the training gives staff the ability to help customers who may be in a situation that makes them vulnerable or

unsafe. So far, over 350 frontline staff from over 150 London venues have been trained since the start of August. Organisations can receive WAVE training through the Safer Sounds Partnership or via their local licensing team. The training explores what vulnerability is, how to identify it and appropriate interventions. A range of online assets and webinars are available. You can visit [www.safersounds.org.uk/wave](http://www.safersounds.org.uk/wave) or email [wave@saferbusiness.org.uk](mailto:wave@saferbusiness.org.uk) to find out more.

Deputy Assistant Commissioner Jane Connors joined Deputy Mayor Sophie Linden and Phillippe Chiarella from Safer Sounds at the Ministry of Sound on 25th August 2021 to highlight the importance of the campaign to representatives of the licensed business sector and to raise awareness among the public.

DAC Connors said she was really pleased to see that so many venues are embracing this scheme and would urge anyone who finds themselves in an uncomfortable situation in a licensed venue to 'Ask for Angela'.





**ON A DATE  
THAT ISN'T  
WORKING  
OUT?**

**FEEL LIKE  
YOU'RE NOT  
IN A SAFE  
SITUATION?**

**GETTING UNWANTED  
ATTENTION OR  
PEOPLE NOT TAKING  
'NO' FOR AN ANSWER?**

For discreet help, speak to  
a member of our team and

**ASK FOR ANGELA**

They will know you need help and will  
get you out of the situation without fuss.

**SAFERSOUNDS**  
PARTNERSHIP  
part of SaferBusinessNetwork

Supported by



“No one should have to put up with unwanted attention or predatory, sexual or violent behaviour. This scheme makes it easier for anyone feeling unsafe or threatened on a night out to access support quickly and discreetly. This might mean reuniting them with a friend they were out with, contacting family or friends, calling a taxi or, if necessary, involving security staff or police.”

“The Met Police is absolutely committed to tackling violence. We want everyone to be safe anywhere in London and be able to go about their business without fear or feeling unsafe.” Deputy Mayor for Policing and Crime, Sophie Linden, described the Ask for Angela initiative as a great example of London Councils, the Met Police, City Hall, Safer Sounds, and venues across London working together to deliver real change.

“It builds on the success of City Hall’s Women’s Night Safety Charter - which is working to prevent and reduce sexual violence and ensure public spaces are safe at night - and is an important part of our comprehensive approach to tackling Violence Against Women and Girls.

“With restrictions lifting and many of London’s clubs and bars open and busy throughout the night, it’s vital we do everything we can to prevent and reduce sexual violence and harassment. The Ask for Angela initiative will make accessing

vital support quick and easy for those feeling unsafe or threatened and I would encourage all of London night-time venues to sign up.”

Phillipe Chiarella, Programme & Training Manager, Safer Sounds said it was clear from the work that Safer Sounds does with licensed premises that businesses want to tackle vulnerability head on, but staff can be unsure of how to identify a vulnerable person and make an appropriate intervention. Venues who sign up to the WAVE programme ensure their staff are trained and empowered to actively assist customers in trouble and thereby prevent and reduce violent and sexual offences from taking place.

“Our revitalisation of Ask for Angela shows that sexual harassment and assaults will not be tolerated in London’s venues. By providing assets for social media, we are encouraging conversations about acceptable behaviour that will have a positive impact on the safety of those who visit licensed premises.

“Safer Sounds is committed to being a voice for business on this important issue and to working with the Police, Mayor’s Office and councils to ensure that vulnerability is tackled in partnership with venues. We are also happy to discuss any training needs with businesses and partners outside London.”



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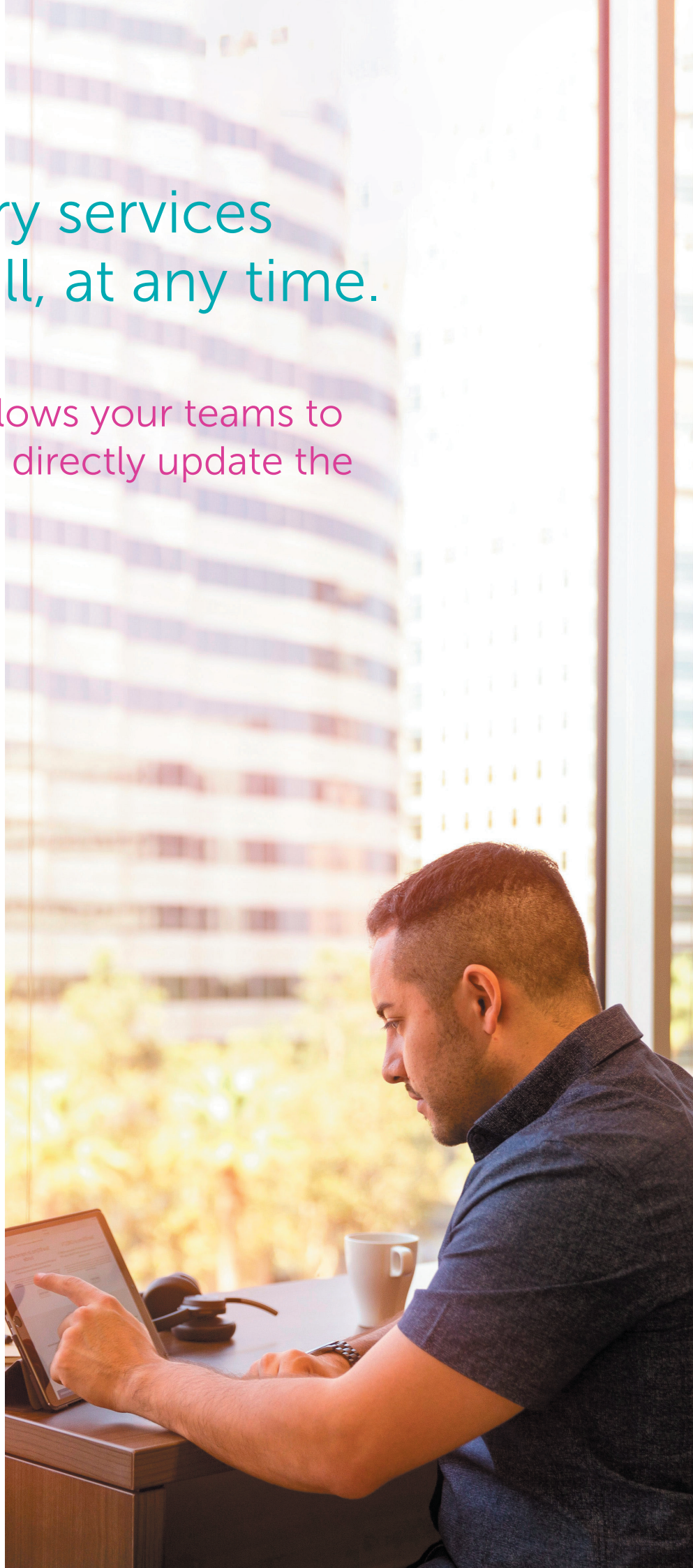
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# Award of Merit: Dan Davies

## National Pubwatch Awards

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Institute of Licensing Chairman, Daniel Davies who is also director of pub chain Rockpoint Leisure, was presented with the National Pubwatch Award of Merit at an awards ceremony held at the House of Lords on 19th October 2021.

Dan was nominated for the top accolade by David Lucas, chair of the Nottingham City Pubwatch and the nomination was supported by Dame Angela Eagle, Member of Parliament for Wallasey, Lord Smith of Hindhead CBE, Chairman of Best Bar None, Sgt. Kate Roberts, Merseyside Police, and Margaret O'Donnell, Licensing Manager (Law and Governance), Wirral Council

Throughout his time as chairman of the IoL, Dan has been a vocal and active supporter of partnership working and he is a strong advocate of the benefits of Pubwatch schemes. He chairs the National Licensing Forum and sits on the advisory committee of UKHospitality.

New Brighton on the Wirral is Dan's hometown and where he has lived all his life. Most of Dan's working life has been associated with the hospitality industry; at just 18 he was managing a nightclub.

In 1994, he founded CPL training, and by 2007, 80% of the company's business was involved in personal licence holder qualifications (APLH), initially classroom based, but subsequently developed for online delivery. In addition, while at CPL Dan partnered with Wirral Council to provide free training to staff on the prevention of alcohol sales to drunk persons, recognising the importance of staff training in licensing.

Dan was so concerned about the decline of New Brighton's Victoria Quarter that he left CPL and set up Rockpoint Leisure to lead a new regeneration project in New Brighton. The company purchased empty and derelict buildings to be redeveloped for a variety of concepts including hospitality.

Dan has worked closely with the relevant authorities in New

Brighton achieving transition from a declining area with boarded-up premises, vandalism, crime and an isolated community to create a new cultural hub and safe environment for the local neighbourhood. This has been reflected in the substantial number of new visitors to the area.

The House of Lords Select Committee on the Regeneration of Seaside Towns<sup>1</sup> included the Victoria Quarter as a positive case study for other towns facing similar social and economic challenges. The House of Lords Select Committee report cited effective leadership as a *'critical component of successful regeneration, specifically, leadership that enables the creation and delivery of a clear vision for regeneration, and that brings together productive partnerships, whether that be between local authorities and investors, or through meaningful engagement with the local community'*, including Dan as an example of such leadership.

At Dan's instigation, there have been regular well-attended meetings held at his licensed premises involving the other local licensees, local licensing officers, police officers, community officers, door staff and local Councillors. These meetings will shortly be formalised into a Pubwatch scheme for the New Brighton area.

As a result of the meetings between the interested parties there has been co-operation on various initiatives, including improved communication between the different licensed premises during operating hours, and direct involvement with the residents and businesses in the local community. Both of these are integral elements of Pubwatch best practice.

The meetings have also enabled initiatives, such as "Ask for Angela" to be implemented.



On receiving the award, Dan said:

"I am honoured. I have been in this industry since I was 16 starting out as a glass collector. I was a licensee at 18 under the old system, and then I started CPL group, which ended up as the biggest training IT supplier, which I ran for 30 years.

"I am passionate about this industry."

At the same event Bedsafe, the Bedford pubwatch, was awarded the top accolade with the National Pubwatch Award 2021.

The annual award is judged by members of the National Pubwatch Committee. This year the judges commended the social responsibility of the Bedsafe scheme, whose members work closely with the local police and council to target and reduce alcohol related disorder in the town.

In particular, the judges highlighted the Pubwatch scheme and its support for those working in the wider night-time economy, who have suffered assault and harassment from people who are identified as having been drinking in town centre venues.

This has resulted in six people being banned for assaulting police officers, three for assaulting door staff and one for assaulting a taxi driver.

Mark Judd, chairman of the Bedsafe Pubwatch Scheme, said the scheme has been well supported and has been very positively received by the community. He said its success was

down to the fact that everyone has bought into the scheme and strong partnership working.

On receiving the National Pubwatch Award 2021 he added: "It reinforces that what we have been doing is the right thing. I think it will make people realise that we are leading the way, showing people how it can be done and how pubwatch can positively protect the community."

Two individuals were given Bravery and Meritorious Conduct Awards by National Pubwatch, which recognises those whose actions have either saved life or minimised physical harm in the night-time economy.

Door supervisor Clive Read, who works at the Shooshh in Brighton, was recognised for detaining a rapist and rescuing a young girl on Brighton Beach. And Becky Goulding, who is general manager of The Winery Bar Restaurant in Burton, saved the life of a customer by giving CPR after he collapsed from a cardiac arrest.



# Events - What's Online?

We are delighted to offer the following training courses which will be delivered remotely via video conferencing/webinar. Book Online or email the team via [events@instituteoflicensing.org](mailto:events@instituteoflicensing.org)  
<https://www.instituteoflicensing.org/events>



Virtual

## Professional Licensing Practitioners Qualification

Online PLPQ (4 Day Course)

22<sup>nd</sup> February, 2<sup>nd</sup>, 7<sup>th</sup>, 9<sup>th</sup> March 2022

24<sup>th</sup>, 28<sup>th</sup>, 30<sup>th</sup> March, 5<sup>th</sup> April 2022

(\* London specific on 30<sup>th</sup> March 2022)

Please note that course fees are discounted where all 4 modules are booked at the same time.



Virtual

## Caravan Site Licensing

19<sup>th</sup> January 2022

This course will provide delegates with up to date details about Caravan site legislation, including recent case law. The course covers all aspects of the legislation including residential, touring, holiday and travellers sites and the distinctions between the different type of sites and will also consider the links between planning and licensing.



Virtual

## Taxi Licensing - Advanced

In association with Button Training Ltd.

**Basic** 29<sup>th</sup> November 2021

This course will give new/inexperienced delegates working in the field of taxi and private hire licensing a broad understanding of the licensing regime from a practical and operational perspective to support their day to day role.

**Advanced** 2<sup>nd</sup> December 2021

The course looks in detail at the hackney carriage and private hire licensing regime and the role and functions of the licensing authority.

## Contact the IoL team

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

# The Institute of Licensing BTEC Level 3 Award in Animal Inspectors (SRF)

Course dates:

**GROUP 9 (125679):**  
7 & 24 January,  
3, 10 & 17 February  
& 3 March 2022

More dates to follow



The IoL is delighted to confirm that we are in the final stages of developing a level 3 qualification for animal inspectors. The qualification will be accredited by an OFQUAL provider and will meet Defra requirements outlined in the Regulations.

It 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 is 5-days in duration and will include an assessed practical session, online exam and a portfolio to be submitted within a specified time period after the course.

### 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

# On The Frontline



Words by Dan Davies

Most pubco CEOs have never lived above one of their venues, often they've never had a drink in them except for the odd photo op when they leave their ivory tower boardroom to join the 'frontline' to rally the troops - in a way reminiscent of a world leader visiting the Green Zone for a 10-minute media visit. Leadership is about being seen and that requires an amount of time actually on the frontline with your sleeves rolled-up.

One true inspiration to me was my old non-exec director JT (John Taylor) who worked his way up from the ranks on the shop floor to the main board of Unilever. He said that after discussing some problem at a directors' meeting, scratching their heads about how to solve a knotty problem, he would go down to the shop floor and discuss it directly with the team affected by it. Many times, the line manager would say "Oh yes, we have created a work-around that issue, we have put this in place."

On the front line they haven't got the luxury of time to deal with hold-ups and barriers that stop them and their teams doing their jobs and keeping the company on track. For the last 3 months I have lived right in the centre of our regeneration of New Brighton above the JA (The James Atherton) Public House.

The reason is I want to see what it's like as a neighbour - even though I only live 2 minutes up the road - living right in the heart of the high street we are regenerating gives me a better feel and understanding of the issues that our community faces, including noise nuisance, security, and the need to be a 'public house' that is sensitive to the needs of the public it serves.

All too often the people who lead companies are too far removed from their teams who actually run the frontline businesses that make up the corporate giants they preside over - with them focussing on continuous growth to satisfy the next quarter's results, short term vision that ticks boxes only for the short term. This leads to a sticking plaster approach and simply ignores or puts off the sorts of issues and decisions that are better addressed in the here and now.

Lying in bed one night, dozing off, I was woken by the sounds of some of the restaurant team at our site across the road who had de-camped and sat on one of our pub benches directly

below my bedroom window. With no traffic on the road or music from bars, what would have been a normal sound of chatter suddenly seemed very loud, it was excessive, mainly because they were merrily merry and didn't seem to be able to adjust their volume control to an appropriate level for talking to each other a few feet away. Still communicating like they had to battle to overcome a busy bar chatter or DJ, and all talking at each other after rather than to each other shattered the silence that by this hour had fallen over the street.

This gave me valuable insight into what neighbours sometimes have to put up with.

After 20 minutes of this and me debating how much more time that I could stand it, I remembered the sprinkler system conveniently sighted directly above the bench they were sitting on to water our hanging baskets. The noise reached a brief crescendo as the icy water blasted the after-show party below which came to a quick end, and I got some sleep.

The same argument about remoteness from the frontline could be levelled to a lesser extent at the people who regulate and enforce laws. At IoL we have a broad church of licensing practitioners, regulators, and operators. This is the reason why at our yearly National Licensing Week (NLW) we encourage our members to walk in someone else's shoes - to do a job swap. Licensing officers to work a shift behind a bar and for operators to go out with council enforcement teams.

For the last 3 years I have worked with our local Licensing department. Margaret O'Donnell and Jo Moran, along with planning and the police, have taken a holistic view of what is needed to achieve a vibrant, safe, and community-based regeneration of our area, one that has seen us get around the

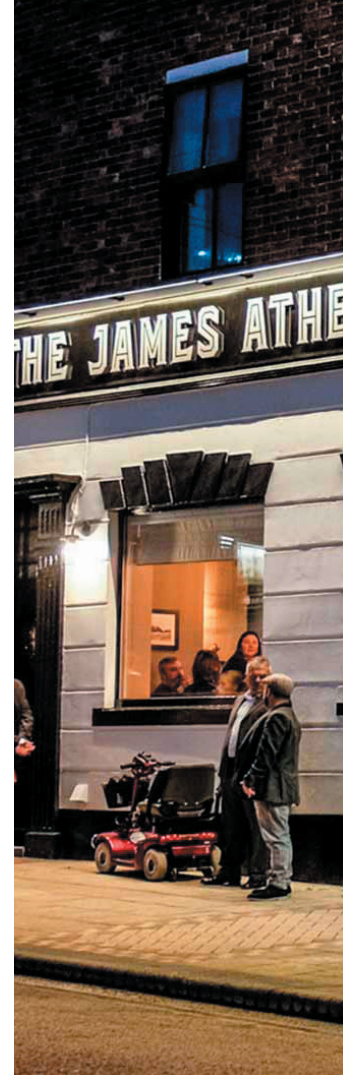






table and discuss, try out, and come to a consensus about the right way forward to achieve our respective goals.

I believe that operators of venues should look beyond their own doorsteps to the streets on which they are situated. This is easier said than done in most cases as a licensed premise is burdened with a lot of challenges simply running the square footage inside the venue, as well as a lot of regulations.

A good start for the more holistic approach is to set up a PubWatch scheme and engage on a wider basis with the local businesses around you. In New Brighton we have set up the Victoria Safe project which involves local business owners, council, police, highways, social services, and our local councillors. We meet once a month to discuss the wider issues of safety and security including street lighting, CCTV, response times, any residents' issues, and the management of local events.

A Rockpoint we have security on 365 days a year, even though it's not a condition of our licence. We get our door supervisors to walk elderly customers to their homes to make sure they are safe. We have engaged with the local kids,

many of whom used to cause low-level antisocial behaviour, getting them actively involved helping us clean up the area and getting them helping our older residents and working to bridge the gap between the generations. We also put on free Christmas dinner for any residents who are on their own on Christmas day.

**'Two neighbours have lived next to each other for years only talking when they mow their lawns on a Sunday over their dividing fence. What colour is that fence? Brown says one, green says the other... they are both right.'**

Our local licensing officer Jo Moran and I travelled to London last month to join Ian Graham from the NPCC for the relaunch of the Ask Angela scheme. This is something that we have started to roll out in New Brighton and has had an immediate impact; on 4 occasions already, our team has intervened to help vulnerable customers, residents and visitors to the town. All of the above takes a considerable amount of time and money to deliver, but we believe that it's essential to do this

work as part of our regeneration.

There's no substitute for getting involved on the frontline and when operators and council enforcement teams do this together then they arrive at win-win solutions. This is how true partnership works and it exemplifies how licensing can be a tool for regeneration.



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# Delivering a problem?



Words by Mark Leyshon, Alcohol Change UK

Photo by Handy Wicaksono on Unsplash

Online alcohol sales are booming. In 2017, more than a fifth of UK customers had bought alcohol online, the third highest proportion in the world. That trend has accelerated over the past 18 months, as we spent more time at home due to the pandemic. Indeed, online alcohol sales are projected to represent a record 8.6% of total UK alcohol sales this year.

And you can see the attraction. We no longer have to wait days for our order to be delivered. Instead, retailers have been increasingly adopting the rapid delivery model: purchase from the comfort of your own home, skip the queues and get alcohol delivered to your door, sometimes within 15 minutes of ordering.

And we're spoilt for choice in terms of online retailers. Ten years ago, the supermarkets were the only places from where you'd realistically purchase alcohol online. Today, there's a vast array of online shops, including app-based retailers who have arrangements with restaurants, takeaways and off-licences; other retailers who have hooked up with local convenience stores; and specialist retailers, like wine and craft ale clubs.

So, what's the problem? Simply put, online and app-based retailers may represent an easier option for children to get hold of alcohol than via traditional bricks-and-mortar stores. At Alcohol Change UK, we first looked at this issue in 2013 when our predecessor charity, Alcohol Concern, produced a report called 'On your doorstep'. Within it was an

online survey of over 600 14-17 year olds, where 15% of respondents told us they had bought alcohol online, and most of whom had said they'd found it easy to bypass online age checks.

The delivery end of the transaction was also investigated. The charity worked with a police force to undertake test purchases from nine supermarkets using 15 year old participants. The result: alcohol was handed over on four of the nine occasions without checking for proof of age. The supermarkets asserted this was a result of individual delivery driver error, and that robust training was in place for all delivery staff. Given the recent shift to online shopping, we wanted to return to this issue to find out what has changed. And it appears, very little.

In 2019, we commissioned researchers at Wrexham Glyndwr University to look at age verification controls on retailer websites. They concluded that it remains "trivially easy" for someone under 18 to order alcohol online, with checks dependent on the purchaser being honest about their age. In other words, all that was needed was to enter a false date of birth

and have access to a credit card.

The licensing legislation in England and Wales is nearly 20 years old and doesn't necessarily reflect the changes in the retail landscape of today. Indeed, when it comes to online alcohol sales, the 2003 Act seems outdated and unclear. For instance, Section 151 of the Licensing Act states that no offence concerning an underage sale is committed where alcohol is delivered at a place where the buyer or person supplied lives or works. However, later guidance issued by the Home Office states that whenever alcohol is sold online, it is "the responsibility of the person serving or *delivering* (italics added) the alcohol to ensure that age verification has taken place".

Given the doorstep is the only place where face-to-face, person-to-person contact happens, we believe it's important for retailers selling alcohol online to ensure their drivers are not delivering alcohol to minors.

And it seems the retailers agree. All of the major players in the sector have virtually identical written policies on their websites stating that they won't sell, or hand over, alcohol without the customer providing proof that they are over 18 – essentially, operating a Challenge 25 policy.

We decided to test this out. On our behalf, an independent audit company undertook 50 test purchases this spring with 18 and 19 year olds, buying alcohol from a variety of retailers offering deliveries within two hours of ordering. In 72% of the cases, alcohol was handed over on the doorstep without requesting proof of age, in direct contravention of the retailers' own policies.

This autumn we have worked with a company, Cogent Research, to understand more about drivers' experiences of delivering alcohol, primarily working for app-based retailers, but also supermarkets and others. Some of the respondents

told us they were aware of their company's policy to always check ID, some said they were unaware of such a policy, and others said they tended to turn a blind eye either way. The vast majority said they had never received age verification training, instead largely operating by instinct.

There's one further issue. Section 141 of the Licensing Act prohibits "selling alcohol to a person who is drunk". What happens if the recipient on the doorstep appears intoxicated? It's clear that the drivers didn't know: again, this was not something that they had received training on. And this is concerning. A recent Australian survey indicated that a quarter of respondents said they had been drunk on all, most or some occasions when successfully receiving their alcohol delivery.

A global alliance between leading drinks producers and online retailers was announced earlier in the year, pledging to introduce mechanisms to prevent online sales to underaged and intoxicated persons. But why has it taken so long? And who will be checking that they are fulfilling their obligations? Most agree that alcohol sales to children and vulnerable adults should be prevented. Now, we need action: robust training for delivery drivers; test purchases operations undertaken routinely with online retailers and delivery companies; and revisiting the licensing legislation to ensure it provides clarity to all concerned about their roles and responsibilities when selling alcohol online and delivering it to people's homes. Only then will we have a system in place that is right for the times.

Mark Leyson is Alcohol Change UK's Senior Research and Policy Manager, a leading alcohol charity working for a society that is free from the harm caused by alcohol.

Photo by Pickawood on Unsplash





# A big thumbs up for our Taxi Driver Remedial training course

According to Government statistics for the financial year 2019 there were over 24,000 complaints made against Taxi and Private Hire drivers across the UK. The Blue Lamp Trust have developed a hard hitting 'Remedial' training course specifically designed to offer local authorities an additional option to deal with customer complaints about driving standards and non-driving customer service issues.

## Course Aims

- 👍 REDUCE DRIVING RISK
- 👍 REFRESH KEY ELEMENTS OF THE HIGHWAY CODE
- 👍 IMPROVE PASSENGER SAFETY
- 👍 IMPROVE CUSTOMER SERVICE
- 👍 UPDATE TRAFFIC LAW
- 👍 IMPROVE ROAD SAFETY
- 👍 PROVIDE COPING STRATEGIES

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## Course Content

### Part 1 Driving issues

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- 👍 DRIVING RISKS; SPEEDING, MOBILE PHONES, DISTRACTION, IMPAIRMENT, FATIGUE, SEATBELTS
- 👍 VULNERABLE ROAD USERS
- 👍 SMART MOTORWAYS
- 👍 COPING STRATEGIES – COAST / COMMENTARY DRIVING

### Part 2 Non-driving (customer service) issues

- 👍 GUIDE / ASSISTANCE DOGS
- 👍 HANDLING DISABILITIES
- 👍 MAKING REASONABLE ADJUSTMENTS
- 👍 LEGISLATION

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RASG

Retail of Alcohol  
Standards  
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# Online sales of alcohol – A view from the off-trade.



Words by Kelly Moss, WSTA / RASG

The UK has seen a rapid rise in online sales of alcohol during the Covid 19 pandemic. Despite this, there is no evidence of an influx of minors purchasing alcohol online.

Retailers are pleased that protections we put in place to prevent underage purchasing are working, however we are determined not to be complacent and will continue to ensure children are protected from harm.

UK retailers take their social responsibility for the sale and delivery of alcohol very seriously and the Retail of Alcohol Standards Group (RASG) remains at the forefront of these efforts, providing guidance and best practice examples on both the responsible retail of alcohol as well as specific guidance on online sales of alcohol.

Online sales are governed by the same rules as face-to-face sales, although the provisions of the Licensing Act 2003, the Mandatory Conditions and s.182 Guidance cannot be applied in the same way to distance sales as they can for face-to-face sales. Retailers have worked with this position for many years without any apparent issues and employ strict, robust procedures when selling alcohol online and instore. We believe the legislation around online sales of alcohol is fit for purpose, and when combined with the robust procedures employed by retailers, becomes even stronger.

RASG have been made aware of various surveys that have been designed to assess the effectiveness of the legislation, as well as the compliance of retailers with their own written policies. None have been of sufficient size or quality to be representative to enable RASG to conclude that minors are obtaining alcohol via the online route.

To minimise underage sales of alcohol RASG members employ a combination of actions at key customer “touch points”, which have developed over a period of time and are specific to the UK retail market. These, together with the legislation, reduce to a very low level the risk of sales to minors. These ‘touch points’ include deterrent techniques

employed before an online order is placed e.g. age gating, as well as age checks that can be done at the time an order is placed and when an order is delivered. The options employed vary, depending on what age checks have been carried out at earlier stages in the sales process. It is the combination of these checks, along with complying with our legal duties that makes us confident that the risk of alcohol being supplied to minors is extremely low.

A significant sector of the on-line market depends on delivery drivers being able to leave goods in a safe place, without seeing the customer or obtaining a signature. With the other measures used however, we assess this to be a very low risk activity and one that should be able to continue.

Although same-day deliveries can increase the potential for underage sales, there is a lack of evidence to show this. We know that businesses involved in this market also employ a combination of the same methods that RASG members do.

Ultimately it is the desire by retailers to be seen as a compliant and socially responsible sector that means we go above and beyond our legal responsibilities with regards supplying alcohol to minors. The UK market is unique, retailers have managed to successfully comply with legislative requirements whilst also satisfying consumer demand for convenience and choice, enabling customers to order alcohol online and receive deliveries at a place and time that suits them. Any amendments to legislation that lead to a decrease in our ability to offer convenience for our customers would be a retrograde step. Any suggested amendments would require a robust evidence-based evaluation that clearly showed the harm being addressed as well as the effect on business of imposing any measures that would involve costs or be overly burdensome.



Entrance to Manchester Arena, Photo © Paul Gillett (cc-by-sa/2.0)

# The 'Protect Duty'



Words by Jeremy Phillips QC

The bombing in the Manchester Arena on 22 May 2017 on the night of the Ariana Grande concert was the most horrific incident that any of those present could imagine. It came out of the blue. It was unprecedented.

Only it wasn't... As the Report into the atrocity found:

"On 22 May 2017 the threat level set by the Joint Terrorism Analysis Centre was severe. That meant that a terrorist attack was highly likely. Whilst the threat was not specific to any particular premises, the arena was always a possible target for a terrorist. There had been previous attacks in Paris and Bavaria which had shown that popular music events such as those held at the arena could be a target."

Central to the recommendations of the inquiry Chairman, Sir John Saunders, was consideration of the Protect Duty, upon which the government was consulting at the time. The purpose of this brief article is to examine what the 'Protect Duty' is (or, more accurately, will be, should legislation be enacted). Who

would it affect? And what might be its practical impact? Protect Duty – what will it be?

The aim of the Duty would be to ensure the earliest possible consideration of any terrorist threat by those best placed to discharge such a responsibility. In the Manchester Arena, for example, such potential parties included the owner and operator of the Arena (SMG); its crowd management and security subcontractor for events (Showsec); and the relevant police services, primarily BTP [British Transport Police].

In addition, the inquiry Chairman suggested: 'The CTSA [Counter-Terrorism Security Advisor] advising the station and the CTSA advising the Arena should have carried out at least part of their security assessment together. Showsec should



have been involved with the CTSA when security matters were discussed with SMG.' Others involved included the SIA, the Licensing Authority, the Health and Safety Executive and the local police.

The duty holder is likely to be required to:

- Use available information and guidance provided by the Government concerning terrorist threats to the public;
- Assess the potential impact of these risks across their functions and estate, and through their systems and processes; and
- Consider and take forward 'reasonably practicable' protective security and organisational preparedness measures.

### Where & to whom would it apply?

The proposed Protect Duty might apply in three main areas:

1. Public venues, most probably with a capacity of 100+ (e.g. entertainment and sports venues, tourist attractions, shopping centres)
2. Large organisations employing 250+ staff. This could also include organisations with a number of outlets where there is significant footfall (e.g. retailers, supermarkets, betting shops, chemists, and petrol stations)
3. Public spaces (e.g. parks, beaches, thoroughfares, bridges, and pedestrianised areas).

### What might be the practical impact?

Duty holders would need to consider:

- Existing security guidance (e.g. for bus and coach operators) given legislative effect for certain locations or sectors;
- Other general security guidance to companies and other organisations responsible for holding, selling or hiring products that could be used as weapons by terrorists;
- Partnership working with those already complying with security legislation (e.g. between transport sectors & operators responsible for locations adjacent to transport hubs).

Local and other public authorities already work in partnership with others fulfilling a range of functions within their jurisdictions. These functions/bodies include: CONTEST and Protect Boards; Community Safety Partnerships; Licensing for sports grounds safety; Planning processes; Safety Advisory Groups; BIDs; Licensing Committees; and Health and Safety, fire safety and building control processes.

Local authorities and their relevant partners could be required to develop strategic plans to mitigate the risks and impacts of terrorism, whilst implementing proportionate measures to improve public safety and security.

Existing measures could also be reviewed to provide further support. For example, the 'Guide to Safety at Sports Grounds & Safety Management' would further emphasise the duty of

partners to work together to consider spectator safety for the journey from public car parks, local train stations, bus stops and so on, to sports grounds ('Zone Ex' or the 'Last Mile').

Any Protect Duty could also be applied to prevent companies holding, selling or hiring products that could be used as weapons by terrorists in an attack at a publicly accessible location. The DfT already operates a number of schemes to reduce risks in this regard.

Finally, we are told that any inspection regime would be 'light touch', possibly assessed remotely and/or through appropriate third-party agencies. Failures to comply, will no doubt, be correspondingly draconian...

Jeremy Phillips QC is Editor in Chief of Paterson's Licensing Acts and an Honorary Fellow of the Institute of Licensing. He was a contributor to the Report of the Public Inquiry into the Attack on Manchester Arena (Volume 1: Security for the Arena) and spoke at the webinar conducted by the Association of Security Consultants in relation to the 'Protect Duty' consultation.



Photo by Collin Armstrong on Unsplash

# Uber's Head of Cities, Safety and Regulatory, Neil Mcgonigle, reflects on 10 years of Uber in the UK



Words by Neil Mcgonigle

Photo by Tom Morbey on Unsplash

Next year will mark the 10th anniversary of Uber arriving in the UK. I've been at Uber for six of those years and it's certainly been an interesting ride. I know our relationship with local trade has had its ups and downs, but as we reflect on a decade as a UK private hire operator, I have been thinking about the areas where I believe our technology has helped to raise standards in the sector.

We pride ourselves on being the best in class when it comes to keeping our riders and drivers safe. But we are always working hard to raise the bar on safety, which is why we rolled out Real-Time ID Check for all drivers across the UK last year. Before logging on, drivers are regularly required to take a selfie that is matched against the account holder's profile picture. If a driver fails the ID Check, their account will be temporarily suspended so that we can carry out further verification. Every suspension involves human review to ensure the decision is correct. This photo verification system is the most advanced in the industry and helps to ensure driver accounts are only used by licensed individuals who have undergone an Enhanced DBS check.

For years, the PHV sector has sought to resolve the challenge of insurance fraud. While people looking to commit fraud will always find new and more sophisticated ways of doing so, we have collaborated with some of the biggest PHV insurance providers to develop 'Instadoc', an industry-leading system that allows the insurer to send a digital copy of drivers' insurance documents to Uber. The digital connection enables continuous verification of a vehicle's insurance cover and has helped identify fraud that had previously gone undetected.

From my time at Uber, I know how important the relationship between operator and law enforcement is in helping to tackle crime and keep the general public safe. Uber has developed an industry-leading police reporting process with the Metropolitan Police Service (MPS) and other law enforcement agencies across the UK. Our dedicated Law Enforcement Response Team (LERT) assesses and responds to every request from the police, in line with our legal and regulatory obligations.

I believe these developments have led to clear improvements for drivers and riders, and helped to enhance the reputation of our industry. Much of our innovation has been driven by the high standards demanded by licensing authorities, who play a crucial role in regulating private hire operators across the UK.

The taxi and private hire industry - like many others - has undergone major transformation as technology has changed the way it works. There are now a wide variety of different operators - from multinational app-based operators like ourselves to local minicab firms in individual towns and cities. In this context, the licensing regime has an important role to play in further raising the bar on safety standards by ensuring consistency across the industry and the country. Indeed, we have long supported the call for mandatory National Minimum Standards and delegated enforcement powers to be legislated for.

As we look ahead to the next 10 years, I look forward to continuing to work with licensing authorities and industry to ensure the UK continues to set the bar globally.

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