

Session Summaries



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#NTC2021

Day 1

Wednesday 17 November 2021

Opening Speakers

Opening Speaker 1 - Lord Philip Smith CBE

Opening Speaker 2 - Ojay MacDonald, ATCM

Day 1, Session 1

What Just happened.... COVID-19: The Impact on Towns and Cities and future prognosis

Panel discussion on the impact of the pandemic on towns and cities across the UK. Hear from Ojay McDonald | ATCM, Dan Davies | Rockpoint Leisure, Matthew Phipps | TLT, Gordon Hunter | Edinburgh Council, Emma McClarkin | BBPA and Sarah Clover, Kings Chambers. IoL Patron Jon Collins will chair the session.

Day 1, Session 2

Industry Perspective: Paul Wright, Stonegate Pub Group

National Standards and Best Practice: Nina Skomorowski-Brown - Department for Transport

An update from the DfT including it's 'Statutory Taxi and Private Hire Vehicle Standards'.

Primary Authority Update & Better Business For All: Kate Harris, BEIS / OPSS

The Office for Products Safety and Standards (OPSS) is part of the BEIS with a purpose of making regulation work. The Local Delivery Team within OPSS is responsible for Primary Authority, Better Business for All (BBfA), and the Regulators Code, and works closely with local authority regulatory services across England and Wales. During this session you will hear about how the Local Delivery Team used its products and networks to work with local authorities during the pandemic, and how the new Strategic Regulatory Networks (SRNs) aims to bring together the different regulatory services across regions to work collaboratively. OPSS are keen for licensing colleagues to be involved in SRNs, BBfA programmes and Primary Authority and hopes that this session inspires you to do so!

Tables and chairs – the existing law and the new pavement licence: Gareth Hughes, Keystone Law

Gareth explores the general legal background to tables and chairs on the public highway and gives an overview of permissions under the highways, planning and street trading legislation and links these longstanding provisions to the new pavement licence under the Business and Planning Act 2020.

Noise vs vibrancy: managing conflicting interests in light of WHO: Peter Rogers, Sustainable Acoustics

Peter will be looking at the implications of returning vibrancy to our streets, and the implications for health and wellbeing of residents, considering WHO Noise targets.

Day 1, Session 3

Cumulative Impact Assessments post COVID-19: Charles Holland, Francis Taylor Building

A look at the requirements for statements of licensing policy and cumulative impact assessments, and the effect of COVID-19 on the adoption of policy.

An Industry Perspective and Panel Discussion: Steve McNamara, LTDA & Steve Wright MBE, LPHCA & Andy Mahoney MBE - 24x7 & David Lawrie - NPHTA

This session brings together representatives from the major industry associations to give an industry perspective on the challenges and difficulties facing the industry currently and the future prognosis.

Rockpoint Leisure: A partnership approach to the Regeneration and Reimagination of Victoria Quarter: Daniel Davies, Rockpoint Leisure & Jo Moran & Margaret O'Donnell, Wirral Council

Beauty and Aesthetics - the need for reform: Sarah Clover, Kings Chambers

Licensing in the beauty and aesthetics arena has been described as the "Wild West". In July 2021, the All Party Parliamentary Group on Beauty Aesthetics and Wellbeing published their report in this area. One of the most recent developments has been a proposed amendment to the Health and Care Bill 2021 to facilitate the introduction of an entirely new regime of licensing. What is going on, and what will happen next? Sarah Clover discusses.

The use of outside areas - deregulation and relaxation of rules: Josef Cannon & Olivia Davies, Cornerstone Barristers

The use of outside spaces associated with licensed premises has taken on a new significance in the pandemic. Joe Cannon and Olivia Davies look at the various ways in which use of those outdoor spaces has been deregulated in recent years, and what the implications are for licensing decisions.

Day 1, Session 4

Licensed Door Security Shortage : The Impact on Public Safety & Trade: Mike Kill, NTIA

For many years now there has been a concern from security companies over the shortage of security operatives within the licensed trade, the pandemic has expedited a crisis which has a greater impact than first suggested - From public safety, consumer confidence, restrictions in trade, license conditions... This important discussion resonates around the short term and long term solutions and how key stakeholders can play their part .

Building back Taxis post COVID: John Garforth JP, Oldham MBC & Steve Wright MBE, LPHCA

It is widely acknowledged that the taxi trade have been severely impacted by the COVID pandemic. Licensing Authorities have had challenges also in how they deliver services and regulate the trade. This session explores the highs and lows of the last eighteen months and aims to look at both best practice and lessons learnt from both sides

Cheltenham Case Study: benefits of local partnership schemes: Louis Krog | Cheltenham Borough Council, Sylvia Oates | BBN, Mark Worthington | National Pubwatch, Adam Jones | Drinkaware Crew

A case study showcasing the importance and positive impact of partnership working and best practice schemes in creating safe and well run night time economies.

Public Sector Equality Duty in Licensing: Leo Charalambides, Editor of the Journal of Licensing

Outdoor Events and Festivals - challenges of a post-Covid world: Sean Williams, Blue Owl Events Ltd

2021 initially appeared to be a return to normality for outdoor events but instead became a nightmare of failed and postponed events due to personnel and supply chain problems. Will these problems still threaten the 2022 season?

Day 1, Session 5

The pros and cons of remote hearings: Philip Kolvin QC, 11KBW

One consequence of Covid has been the emergence of remote hearings as a viable means of conducting the business of Licensing Sub-Committees. In this session, Philip Kolvin QC discusses the pros and cons of remote hearings, offers some tentative conclusions as to when they are, and are not, preferable and will seek views as to whether the Institute may offer guidance on the topic for the benefit of licensing authorities nationwide.

Tax Conditionality: England, Wales, Scotland and Northern Ireland: HMRC

Tax conditionality will be a requirement for hackney carriage and private hire driver and operator and scrap metal licensing in England and Wales from April 2022, with Scotland and Northern Ireland following in future. Hear from HMRC about how this will work in practice, and see the prototypes of the online systems that will be used by licence applicants and licensing authorities to gain / check tax codes.

Pre-action protocol letters: Ben Williams, Kings Chambers

This session will look to the purpose of Judicial review (JR) and why such a course is taken. LA's may see many Pre-action Protocol (PAP) letters and very few JR's – even less full JR's.

Data Protection and licensing: Dr Sam Fowles - Cornerstone Barristers

Data protection and privacy impacts on every aspect of our lives and licensing is no exception. This session will explore some of the key issues that the ever changing regulatory landscape around data protection raises for licensing and how practitioners can respond.

Age Verification for Online Sales and Potential Enforcement: Case Study of Prosecution for “Failed Online Test Purchase” of a Knife: Nicola Smith, Squire Patton Boggs

A session looking at age verification and potential enforcement for online sales of alcohol, which will set out the facts and arguments made in a prosecution by a local authority for a failed test purchase online, of another type of age restricted product (a knife).

Day 2

Thursday 18 November 2021

Opening Speakers

Opening Speaker - Mike Wood MP, Chair of the All Party Parliamentary Group

Day 2, Session 1

Home Office update including SWAN/VAWG initiatives and Home Office Sandbox:
Uzma Brandon and Stuart Craig-Lau, Home Office

An update from Home Office officials which will include the latest updates on the Regulatory Sandbox re Age verification, and the vulnerability initiatives 'Safety of Women at night' (SWAN) and 'Vulnerability of Women and Girls' (VAWG).

James Button on Taxis

This session will provide an update on developments in taxi licensing and also provide an opportunity for current topical issues to be discussed.

Counter Terrorism in hospitality, events and licensed transport: Ian Rudge, Met Police

The recent Manchester Arena Inquiry, volume one publication concluded that it was a missed opportunity by not utilising the Licensing Act 2003 sufficiently as part of the security planning arrangements and that overall, terrorism, and need for counter measures was silent and largely unrecognised. This presentation will educate and enable everyone who has a role to play within the licensing community and keep the public safe and secure.

Lotteries: Jane Blade, Gambling Commission

This is a plain English, jargon free session to allow delegates to understand lottery basics and deal with queries from members of the public. A practical, plain English guide is provided on: what a lottery is; exempt lotteries; lottery offences; illegal lotteries; house raffles; and lotteries online and on social media.

Drafting Appeal Proof Licensing Decisions: Matt Lewin & Asitha Ranatunga - Cornerstone Barristers

Appeals can be won or lost on the cogency of the reasons for the Council's decision. In this session, Asitha and Matt provide tips and advice on drafting licensing decisions, using case studies for a premises licence and taxi decision to illustrate the types of issues at play.

Gambling Commission Drop In (All day)

The Gambling Commission will be operating a 'drop-in surgery' and will be available to deal with all gambling related enquiries that Local Authority staff may have.

Day 2, Session 2

NPCC update & drink spiking emerging issues: Ian Graham, NPCC and Sgt Dave Moore, Devon & Cornwall Constabulary

*Hear from Ian Graham about the policing picture post re-opening.
Devon and Cornwall Police have a drink spiking working practice in place after a trial before lockdown.
Details of how this scheme works in practice along with its effectiveness will be presented by Sgt Moore.*

Preventing exploitation in hotels: Andy Thompson & Helen Matthews, CYP First

This hard hitting session will talk about what hotels should be doing to prevent exploitation. Examples from across the country will give you practical tips but also raise your own awareness of the grooming and abuse of children and vulnerable adults within hotel accommodation.

Improving the Appeals system: James Button, James Button & Co and Philip Kolvin QC, 11KBW

This session will examine possibilities for improving the current system of licensing appeals, both in the short and longer terms.

Social Responsibility in Gambling: Ewen MacGregor, TLT Solicitors

Preparation and presentation of evidence in hearings and appeals: Tim Shield & Chris Grunert, John Gaunt & Partners

A review of current trends and themes regarding the form and presentation of evidence before Licensing Committee's and Appeal Courts.

Day 2, Session 3

Vulnerability in the Nighttime Economy: Phillipe Chiarelle & Rita King, Safer Business Network

Phillipe and Rita will provide an update on the work of the Safer Business Network in relation to vulnerability in the night-time economy, including the recent rebranding and promotion of the 'Ask for Angela' campaign across London.

Taxi Licensing Appeal: Cartledge v Gedling Borough Council: Gerald Gouriet QC, Francis Taylor Building

"When is a refusal not a refusal?" But the issue in the Cartledge appeal is of wider application. If a literal construction of a statutory provision produces absurd results, we have to look for another interpretation. But are we entitled to ignore a statutory requirement whenever we think the consequences are absurd ?

Licensable Activities and Where to Find Them: Jonathan Smith and Andy Grimsey, Poppleston Allen

In theory, knowing where the sale of alcohol, regulated entertainment or late night refreshment takes place should be simple. In practice, with new business models, web-based sales, 3rd party delivery companies and promoters trying to maximise audience limits under TENs and deregulation, the location of such activities can sometimes be anything but simple. In this interactive session Jonathan and Andy consider the law and some recent examples.

Here's to Your Health: Public Health and Licensing: Sarah Clover, Kings Chambers & Stephen McGowan, TLT

The Public Health objective in licensing is a recurring theme. Implemented in Scotland, and continually rejected in England, despite persistent calls for its introduction, this is a debate that doesn't rest. Stephen and Sarah consider the different sides to the debate, and the experiences on each side of the border.

Review of the Gambling Act 2005 - Likely outcomes: Brigid Simmonds, Betting and Gaming Council

The Betting and Gaming Council represents over 90% of the regulated betting and gaming sector in the UK covering casinos, bingo clubs, bookmakers and online. This session will look at the ongoing review of the Gambling Act 2005, what progress the industry has made in terms of safer gambling and how it works within the leisure and hospitality sectors and with local authorities.

Councillor Conduct: Dave Daycock, Iscoed Chambers

A review of members behaviour and conduct, looking at good and sometimes bad practice at Committee meetings, and the consequences of poor decision making and inappropriate conduct. The session will also deal with liability under the codes of conduct and changes/proposed changes to the regimes in England and Wales, liability under the general law, and some examples of breaches of the Codes and improper behaviour.

Day 2, Session 4

Protect Duty: Jeremy Phillips QC, Francis Taylor Building

This session outlines the likely impact of the Government's proposed Protect Duty on public venues, large organisations (250+ people) and public spaces, including issues practitioners will need to consider & advise upon and responses of IoL members to the proposals.

Workshop Session: Taxi and Private Hire Licensing: Michelle Bignell | Publica,

*This session will bring together industry, regulators and safeguarding representatives, in discussion with James Button, and also answering questions from delegates. **If you have a question you would like to ask, please give it to an IoL staff member before the session or email training@instituteoflicensing.org prior to the event.***

Role of Responsible authorities: James Rankin, Francis Taylor Building & John Garforth JP, Oldham MBC

In this session, James and John explore the role of the responsible authority under the Licensing Act 2003, what they can add to the process and relevant law and guidance. Hoping this will be an interactive session where attendees can join in the debate on best practice and experiences.

Drugs and Trends: Neil Brooks, Chill Out Sound Support

An overview of some of the main drugs affecting the night time economy. Looking at trends, consistency, marketing, and harm reduction.

Gambling Regulation – an operator’s perspective: Nick Arron, Poppleston Allen & Adam Hodges, Game Nation

Adam Hodges of gaming centre operator Game Nation, and Nick Arron, Partner at Poppleston Allen discuss the regulatory challenges experienced by businesses operating on our high streets.

Bias in Licensing hearings: defining, addressing and avoiding: Roy Light, St John's Chambers

Bias in licensing hearings: defining, addressing and avoiding’ - a party is entitled to have its case heard by an unbiased and impartial tribunal. If matters proceed otherwise, a hearing may have to be abandoned or a decision quashed. Yet it is important not to overstate matters; a balanced approach is needed, neither too complacent nor unduly sensitive or suspicious. This session will look at legal definitions of bias and explore their practical application.

Day 2, Session 5

DISCUSSION PANEL: Challenges ahead for hospitality: Chris Bulaitis | Ever So Sensible, Steve Alton | BII, Kate Nicholls OBE | UKH & Daniel Davies | Rockpoint Leisure

An opportunity for regulators to hear from those they regulate about the future prospects for the hospitality industry and the implications for licensed premises.

Conducting Taxi Licensing Committees: Andy Eaton, Wealdon and Rother Council & Councillor Ekins, North Northamptonshire Council

A discussion session looking at how licensing committees should work, good practices and examples of things to avoid.

Day 2, Session 6

The Global Nighttime Recovery Plan: Daniel Davies, IoL Chairman & Rockpoint Leisure, Lutz Leichsenring, VibeLab, Alistair Turnham, MAKE Associates CHAIR: Philip Kolvin QC, IoL Patron and Barrister at 11 KBW

Philip Kolvin QC is joined by a panel of leading experts on the subject of Safety Advisory Groups in an informal but provocative session, covering the value of safety advisory groups, good and bad practice and their future. The session will provide opportunity for audience discussion and questions.

Day 3

Friday 22 November 2019

Opening Speakers

Opening Speaker 1 - Farewell to the Rule of Law - Gerald Gouriet QC

Opening Speaker 2 - Ken Scott MBE, Sports Ground Safety Authority

Day 3, Session 1

Sexual Entertainment Venues: Leo Charalambides, Journal of Licensing Editor

RASG - Impact of conditions on alcohol retail: Kelly Moss, WSTA & Hardish Purewal, Tesco

The Retail of Alcohol Standards Group is a panel of UK retailers committed to promoting the responsible retail of alcohol both in-store and on-line. We are well versed in the intricacies of alcohol licensing law and licensing conditions. In this session we will share with you a few examples of the more questionable conditions that have been placed on alcohol retailers as well as the background as to why the creation of our Online Sales Guidance was such an important publication for the off-trade industry.

James Button on Taxis

This session will provide an update on developments in taxi licensing and also provide an opportunity for current topical issues to be discussed.

Zoo licensing: Julia Bradburn

When is a Zoo not a Zoo? This is the question. A quick trip through current zoo licensing legislation and a discussion about when a licence may or may not be required. The session will finish with an update on the latest legislation.

The Impact of ride refusals: Penny Hefferan, Guide Dogs

Day 3, Session 2

Developments in Licensing - an LGA update: Jade Hall & Ellie Greenwood, LGA

This session will provide an overview of recent developments in a range of licensing policy areas, including taxi and private hire vehicle licensing, pavement licensing, and animal licensing. It will cover new Government guidance and legislation that is of relevance to licensing authorities and update on LGA activity more broadly.

Online alcohol sales and home deliveries: Andrew Misell, Alcohol Change UK

Online alcohol sales have been growing in recent years, and the variety of sellers and delivery operators has also increased. It's not clear whether the regulatory system has kept up. Alcohol Change UK are keen to work with licensing teams to arrive at practical methods to minimise the extent to which online purchases become a route to alcohol for under-18s and people who are already intoxicated.

Taxi Fares Formula: Mike Smith, Guildford Borough Council

The session covers Guildford's method and formulae used for calculating hackney carriage fares as per the DfT's Best Practice Guidance. The formulae has withstood the test and scrutiny of a legal challenge by the taxi trade will be of use to any delegates looking to understand the calculation of fares with a view to increasing consistency.

Animal Licensing: Julia Bradburn & Linda Cannon

Following the announcement of the Government's Action Plan for Animal Welfare there is a raft of new legislation being introduced. We explore what's on the cards and how this will affect animal welfare licensing for Local Authorities.

Day 3, Session 3

IoL Discussion Panel with David Lucas | Lucas Licensing, Leo Charalambides | Editor Journal of Licensing, Josef Cannon | Cornerstone Barristers, Stephen McGowan | TLT.
CHAIR: James Button, James Button & Co.

Chaired by IoL President James Button, the Panel will consider questions posed by conference delegates.

Questions can be submitted on all areas of licensing before the conference start to training@instituteoflicensing.org or during the conference (via the IoL desk)