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National Pubwatch

Newsletter



25 years



RAISING STANDARDS IN LICENSED RETAIL

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CARDIFF PUBWATCH – RESPONSE TO EDITORIAL

Nick Newman, chair of the Cardiff Licensees Forum, has responded to Pubwatches retaining their independent status, stating, “You make some very valid points about the need for licensee/DPS groups to retain their independence. Our Licensees Forum here in Cardiff was set up in 1999 under the auspices of a Community Safety-type Partnership. Even back then, I was at pains to stress to our members (and to our partners) that we had to be financially independent in order to be able to speak out when appropriate.

We work very closely with the Police and Local Authority, but no one is in any doubt that, first and foremost, our group exists to serve local licensees/DPSs. So, for example, when the issue of Test Purchasing first raised its ugly head, our independence meant we were able to speak out against it in the strongest terms without compromising any protocols or agreements. In fact, as a result of the occasional clash of views, I have found that the working relationship becomes stronger and integrity is respected on all sides”.

NEWHAM PUBWATCH

Janet Dooner states that Newham Watch, in Stratford, East London, is doing extremely well. She says, “We have a very good relationship with our council Licensing staff and with our new Licensing Sergeant. We have guest speakers every month and our Borough Commander was due to attend recently, duties permitting. A meeting is also being organised with the Anti Terrorism Branch covering how we may re-act if there was a major incident.

Janet’s premises are situated directly opposite the Olympic site and she is constantly encouraging all the local pubs, clubs, business’s and off-licenses to attend these meetings. Her Email is: therailwayhotel@btconnect.com.

If you are not the person to whom this was addressed or no longer wish to receive newsletters please let us know, one it saves money and two reduces unnecessary work. Our contact information is on page 2.

RDR AWARD WINNERS 2007 - READING PUBWATCH

At the recent Responsible Drinks Retailing Awards Lunch 2007, organised by the Morning Advertiser and sister publication Off Licence News, the winners of the category 'Pubwatch of the Year' were Reading Pubwatch.

Reading Licensees Association formed Reading Pubwatch in the town centre. Following its success, it was agreed to roll-out Pubwatches to all areas of Reading. This gives every licensed premise in the Reading Borough Council area the opportunity to engage in their local Pubwatch. Their web site is www.readingpubwatch.com

The Town Centre Pubwatch is now split into two – Pubs and Restaurants and Bars and Venues. Membership is drawn from a range of licensed premises including shops, supermarkets, off licences, restaurants, pubs, door supervisor companies, training companies, late night bars and night clubs.

A Pubwatch Council, consisting of the Secretary and Chair of each Pubwatch and representatives from the council and police, has been established to coordinate the strategic direction of this whole scheme.

This Pubwatch also has representation on various partnership groups. It has undertaken many initiatives including developing a comprehensive 'banning' policy. Amongst its achievements are:

- * A decrease of 33% in serious woundings over the past two years
- * Open, direct and frank communication between partners
- * All partners are held to account
- * Sharing of intelligence
- * Promotion of best practice

Studentwatch has also been formed to address the safety and security of the 14,000 students visiting Reading each year.

Superintendent Neil Olney, Thames Valley Police said, "Working in partnership with Reading Borough Council on the Pubwatch scheme...had made a real difference to the town after dark". Gayle Buckley, CDRP, said, "All six of the specific crime targets are likely to be achieved.

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How to contact us

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Please note the change of Email address and contact person above.

Continued from Page 2 The strong partnership focus built around the town centre has made a significant contribution to this reduction”.

Editor's Note: The Responsible Drinks Retailing Awards scheme was advertised in Edition 21 of this Newsletter. Well done, Reading Pubwatch!

DERBY CITY PUBWATCH

Derby City Pubwatch was 'Commended' at the recent Responsible Drinks Retailing Awards Lunch 2007 in the 'Pubwatch of the Year' category. Their web site is www.derbycitypubwatch.co.uk.

'Challenge 21 Scheme', aided by a poster campaign, increased the pass rate regarding underage sales. Reflective armbands issued to door supervisors made them more easily identifiable. Additionally, funding enabled personal attack alarms to be supplied to staff in licensed premises, with an intention to extend this supply to hospital staff. There is also a radio link between licensed premises and the city CCTV. This was complemented by the displaying of posters and window stickers in premises advertising their involvement in this scheme.

This Pubwatch is also a valued partner in the provision of a taxi marshalling scheme, which has reduced the incidents of alcohol-related disorder. They also promote 'Text-a-Taxi' by displaying leaflets detailing how customers can use a text service to book their transport home. During the Christmas period, they also promote the use of late-night buses, distributing timetables to member premises, hospitals, the university and businesses. This Pubwatch has also recently embraced the Best Bar None Award Scheme.

Additionally, posters printed in a number of languages are displayed when appropriate, such as 'Venue Full' and 'No Entry'. Premises' rules are similarly on display. Support has also been given to other crime prevention publicity campaigns on buses and at the football stadium.

David Lator, Pubwatch chair, said, "Through strong partnership working the city is becoming safer with a reduction in incidents of violent crime”.

LOCAL LICENSING POLICY CONSULTATIONS

The Licensing Act 2003 requires all Councils to review their licensing policies every three years. The first such review has been taking place since June, with Councils issuing a draft policy for consultation. The BBPA has been responding to as many consultations as possible.



So far, responses to nearly 300 Councils across England and Wales have been submitted.

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Continued from Page 3 Some Councils are seeking to impose complex and lengthy policies while others are only a few pages long. A number of policies contain provisions that are beyond the scope of the 2003 Act. The main issues arising are:

Licence conditions:

Many policies fail to explain how conditions are attached to licences, ie. that they can only be attached following relevant representations from a responsible authority under the Licensing Act 2003 (eg. police, trading standards, EHOs etc.), which have been upheld following a hearing or agreed to by the applicant. Breaching a licence condition attracts a heavy fine so any conditions attached must be necessary to achieve the licensing objectives. A few local authorities have prescriptive expectations of measures to be included in operating schedules, some of which are not, in the BBPA's view, suitable conditions for a licence, but should be recommended as good practice, for example, Challenge 21 and Pubwatch.

Since the sale of alcohol to under 18s is already against the law, the expectation for premises to include a policy on under-age sales in the operating schedule is an unnecessary condition, and overly prescriptive. The BBPA is extremely supportive of Challenge 21 and the Proof of Age Standards Scheme (PASS), but has explained to a significant number of local authorities that it would not be appropriate for such measures to be translated into licence conditions, as this would undermine any 'due diligence' approach to securing compliance with the law.

As a major supporter of National Pubwatch, the BBPA is, of course, keen to encourage its member companies and licensees to participate in their local schemes, but we do not subscribe to the view of many local authorities and police that such participation should be a condition of the licence. In responding to local policy consultations, it has pointed out that Pubwatches are voluntary organisations and membership should remain voluntary if they are to be effective. As co-operative bodies, Pubwatches should be able to determine their own membership, which would become almost impossible if leaving such a scheme would result in a breach of condition. We have asked that local policies recommend Pubwatch membership rather than seek to make it a condition of licences.

Designated Premises Supervisors:

The revised DCMS Guidance to the Licensing Act has clarified the position with regard to the DPS not having to be on the premises at all times. While the majority of Councils now recognise this, some are now asking for premises to identify a "deputy" DPS or "nominated person" to be available in the absence of the DPS. There is, of course, no legal basis for such a requirement, and the BBPA has made this clear in responding to consultations.

Continued from Page 4 Final licensing policies must be published by 7th January 2008. The BBPA will be evaluating the policy review exercise to identify any common themes and problem areas, and will highlight any policies of particular concern to DCMS.

MID-DEVON DOORWATCH

Gerald Eva, director of Doorman.Org.UK.Ltd, Security Solutions, together with a group of door supervisors, have formed a group called Doorwatch, which closely follows the aims and objectives of National Pubwatch. He is also the treasurer of Mid-Devon Pubwatch. Information from his members is taken forward to their local Pubwatch meetings, thus supporting the 'Banned from One Banned from All' initiatives.

Any registered door supervisor can apply to join. Within Mid-Devon Pubwatch, most doorstaff will be members of this Doorwatch. They are assisted in obtaining individual insurance cover and are offered regular training on a range of issues at subsidised rates. This includes training in the use of handcuffs, notwithstanding the potential for an allegation of assault and unlawful detention. These door supervisors are considered by each licensee as their staff members. Thus, they can view the photographs of banned persons without contravening data protection protocols.

Gerald also maintains regular contact with the SIA and hopes this initiative will lead to other areas across the UK forming similar Doorwatches. He can be contacted on 07922 625630.

COMMENDATION - PRESTATYN & DISTRICT

Norma Vaughan, co-ordinator of Prestatyn & District Pubwatch, and her husband, have recently been awarded a Divisional Commander's Commendation for ongoing dedication to the organisation and running of this Pubwatch.

She states, "Our watch has been running very successfully for 11 years. Many coordinators keep working away in the back ground trying to keep everything running smoothly and up to date. One tends to think that nobody else takes notice of all the hard work you do.

So to all coordinators out there, don't give up! We do make a difference! It may be gradual and sometimes you feel you may be banging your head against a brick wall, but try and remember what it was like before Pubwatch. I know none of us do the thankless job of coordinating for recognition, but hey, it's always nice to get a pat on the back".

Editor's Note: Well done Norma. I am sure many more of you are similarly deserving of such recognition.

ADDITIONAL TRAINING – IS IT NECESSARY?

Licensees generally know the licensing law and most do all they can to avoid breaking it. However, the Licensing Act 2003 with its 'Grandfather Rights' provision, has changed all that. Clearly there are some premises where the law is understood and complied with. However, there are the huge number of premises where the new law has just passed the Designated Premises Supervisor (DPS) by.

Although thousands of people have taken NCPLH exams, almost every premises selling alcohol still has over their door a notice giving the name of a person and the type of alcoholic products they are licensed to sell. Whilst there is no reason why that notice should not be there, it is actually not required. However, the Premises Licence, which must be displayed, is often not located where the public can read it.

Last summer a family went to a pub for lunch and tried to occupy a table near to the bar. "Can't sit there mate" declared the licensee who asked them to go to a room elsewhere in the premises. He was asked if this was a 'house rule' in view of the fact that the new law allows children anywhere in licensed premises, so long as they are with an adult. The response was a little mumbled.

Previously reported in the BII Business magazine, Richard Macey, a former BII licensee of the year, said, "One of the best things that happened to me was when I lost my 'Grandfather Rights' ... I was forced to take the BIIAB's new statutory exam ... and it astounded me what I learned. The only thing grandfather rights would have given me was trouble". This comment is re-enforced by Ali Carter FBII, who said "As it turns out, what I had, until doing the NCPLH, was Grandfather Rights to ignorance"

At recent PubWatch meetings in Essex, licensees, many of whom were DPS's, had difficulty in answering some basic questions on the new law. The police representatives present then stated in no uncertain terms that if accusations of offences against the Act, particularly offences involving children or drunkenness, were made and the defence of 'Due Diligence' was attempted, the first questions to be asked would include, 'has the DPS been trained?' and, 'have the staff been trained'?

The onus is on all licensees to be aware of the main changes in this legislation.

Bob Finch is a lecturer with Essex and Suffolk Institute of Licensing. Further information can be found on www.esil.co.uk or phone 01206 501298.