

Update on the Licensing Service: November 2017

To give the Committee an update on the work of the Licensing Team.

Licensing Activity Festivals

The Licensing team inspected/carried out prevention visits to festivals/events during 2017 summer period, attending these events over a large number of weekends and evenings/early mornings. The team were engaged in ensuring the safety of the public attending and staff working at the events.

Wiltshire is a popular venue for festivals, by early intervention and positive engagement we are seeking to guide and educate organisers around managing alcohol consumption levels, drug prevention, antisocial behaviour, and wellbeing of all at the event.

Prevention of harm is a key element when planning an event; Licensing Officers are involved in considerable pre event work guiding organisers in managing their own event to lessen the impact on the local community and emergency services of Wiltshire.

Events 2017

Licensing Officers have been actively engaging with organisers for events in 2017, with the highest profile events being, Chalke Valley History Society in Broad Chalke in June, Womad in Charlton Park in July.

Following the risk rating of the festivals over the past few years, the Licensing team have targeted its resources and focused on the events that are either high profile, have experienced issues previously or are new to Wiltshire. As with all our engagements with festival organisers and their staff, the focus is on a safe secure and enjoyable event for all, within sensible and responsible parameters.

Womad

This year's event was a success with over 30,000 attending (the weather was very inclement) with no significant issues noted by the Licensing or Public Protection Teams that visited the site.

Each year there is a new arena layout, to enhance the visitor experience as most are repeat attendees; the internal traffic management system is updated accordingly.

Smaller Events

A number of new events this year presented their own challenges both to organisers and the responsible authorities; Wiltshire attracted a diverse range of events from

motor bike rallies, to small scale festivals in a rural location. Still planned for this year are carnivals, Christmas markets, Christmas lights switch on.

Partnership Working

The licensing team has been working pro-actively with both Wiltshire Police and the MASH team to assist with concerns regarding vulnerable young persons and their association with licensed premises in Wiltshire.

Licensing Applications

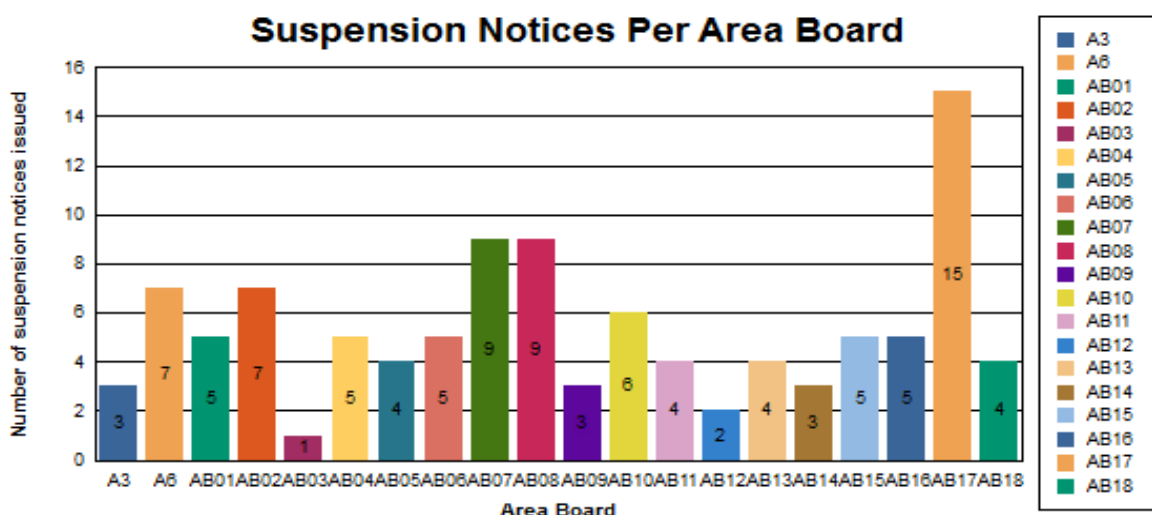
To give the Committee an update on the work of the Licensing Team, detailed in the table below are some the Licensing Applications from 1 January – 15 November 2017.

Licence Applications Jan – November 2016 & 2017

Year comparison	2016	2017
Temporary Events Notices	1109	1595
Late Temporary Events Notices	218	341
Licensing Applications (New /variation/minor variation/Variation of DPS)	566	675
Personal Licences	266	309
Gambling Permits (Gaming Machines)	28	17

Since July 2016, Wiltshire Council has offered online payment for Licensing Act 2003 annual fees.

Last year 106 premises had their licences initially suspended. In the majority of cases the suspension notices were hand delivered in line with the legislative requirements, however payment in most cases was received following contact with licence holder, licence surrendered or premise licence still in suspension.



Currently there are 27 licenses in long term suspension where the licence holder has decided not to pay the fee and wishes the licence to be held in abeyance or the holder cannot be contacted and as the licence is deemed as property cannot be closed by the licence team with due reason.

Guidance Notes

Following concern that a number of Town and Parish councils are unsure of the grounds on which they could support or object to application for a premise licence, which was highlighted at a couple of recent hearings where the parties representing the councils found it difficult to demonstrate their concerns.

The guidance notes to making a representation have been updated giving more information and advice to all and the link to the guidance notes will be on the email trail to town and parish councils when applications are received.

The guidance notes also advises that the 28 day consultation deadline cannot be extended to fit around council meetings as the timeframe is set within the legislation and cannot be extended.

Hearings

This year to date we have held 5 licensing hearings, compared to 14 in both 2016 and 2015. The number of applications or reviews triggered going to Licensing hearing is totally unpredictable as it depends on the applications received by the Licensing Authority and concerns or issues perceived against the application or premises with current licences that are called into review following possible/actual failure to promote one or more of the licensing objectives.

Gambling Premises

The Licensing team have undertaken a programme of inspecting all Betting shops within Wiltshire over the past few months. The inspections have been carried out following training received from the Gambling Commission utilising inspections forms from Nottingham City Council who are recognised as leaders in this field. The rationale behind the inspections is to ensure that all the premise have their local area risk assessment or are working towards completion of one.

Animal Licensing

Since the beginning 2016 Wiltshire has seen an increase in Animal Boarding licences, this increase has also been partly achieved by the proactive work from Licensing Officers investigating unlicensed boarders through social media.

Year Comparison Jan - Aug	2016	2017
Animal Boarding in the Home	24	61

This equates to a 154% increase on initial licences issued.

Due to the increase of applications, the Licensing Authority reviewed the fees and charges to reflect this growth to also include dual licensing.

Fees and charges 2016/17	
Animal Boarding in the Home 1-5 Dogs Initial application	£145

The following fees apply from April 2017:-

Fees and Charges 2017/18	
Animal Boarding in the Home 1-5 Dogs Initial application	£150
Animal Boarding in the Home 6 + Dogs Initial application	£180
Dog Crèche 1 – 10 Dogs Initial application	£150
Dog Crèche 10 + Dogs Initial application	£180
Dual Licence Dog Crèche/Home Boarding Initial application	£225

The Licensing Authority have also found that the condition relating to safeguarding children has been effective when applicants applying for licences. Applicants are unable to obtain a licence to board dogs if under 5's reside at the premises.

Current licensed premises for all Animal Licensing:-

Riding Establishment Licences	24
Animal Boarding Kennels and Catteries	48
Animal Boarding in the Home	206 (renewal and pending)
Dual Dog Crèche/Home Boarding	2
Pet Shops	28
Zoos	2
Dangerous Wild Animals	7
Dog Breeding	9

Two Licensing Officers also attended a Zoo Licensing course to focus on the requirements and exemptions to zoo licensing, this also included extra area in relation to animal welfare with licensing performing animals and circuses.

As Wiltshire is experiencing an increase in petting farms or small zoos that may keep species which are non-hazardous and non-conservation sensitive, Officers must establish if these premises require dispensations under the ZLA.

Impending changes to Animal Licensing

Currently over ten thousand animal related licenses are issued every year by local authorities, making this the biggest group of licenses after pubs, taxis and gambling premises.

DEFRA has announced it is planning to roll out a new framework for the licensing of animal establishments in autumn 2018.

This new framework will replace the existing regime, which is over 60 years old, and considered no longer 'fit for purpose' due to a plethora of animal business types that didn't exist when the legislation was written.

This modernisation of animal licensing will have significant impact on a number of animal related businesses, as many don't fit into the current system: animal groomers, dog trainers, pet sitters and the sale of animals on the internet are relatively recent innovations. The changes also seek to address growing concerns regarding unlicensed/illegal puppy sales.

The draft proposal is to replace the current system of four different licences, and widen the scope to include licensing for all animal related activities. "Model Conditions" have been produced for each sector, and those applying will be expected to comply with these.

Once the finalised implementation details of the changes are known a formal briefing paper will be submitted to the Licensing Committee for information in early 2018.

Licensing Policies

Wiltshire Council's "Statement of Gambling Principles" 2013-2018 is due to be reviewed soon and then republished in January 2019.

This is a legal requirement under section 349 of the Gambling Act 2005. The statement must be reviewed every three years even if amendments have been made in the intervening period.

In terms of timeline, the Licensing Team is proposing to start the process between March – June 2018 as the statement must be published four weeks before coming into effect so by 3 January 2019 before coming into force for 31 January 2019.

A briefing report will be presented to the next Licensing Committee setting out the consultation requirements and member's involvement in the process.

Wiltshire Council's "Statement of Licensing Policy" (Licensing Act 2003) is due for reviewing in 2019.

Conclusion

The Licensing function continues to develop within Wiltshire Council. The core activity of supporting the licensing process has shown year on year improvement. There is also now a greater focus on preventing harm, this emphasis towards prevention and the proactive work undertaken by the team is to ensure safe environments for people to enjoying the various licensable activities across the county.

2018 will be a busy year for the Licensing service with the Gambling Policy requiring review and wholesale changes to animal licensing coming into effect in October 2018.

Linda Holland
Licensing Manager
22 November 2017