

Licensing Committee

MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 17 JUNE 2024 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Peter Hutton (Chairman), Cllr Allison Bucknell (Vice-Chairman),
Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Andrew Davis, Cllr Ruth Hopkinson and
Cllr Tim Trimble

Also Present:

Roy Bahadoor (Principal Licensing Officer), Claire Francis (Public Protection
Manager – Community Protection), Jonathan McLaughlin (Legal representative), Lisa
Pullin (Democratic Services Officer) and Jason Salter (Head of Service – Passenger
Transport)

15 **Apologies, Substitutions and Membership Changes**

Apologies were received from Councillors Steve Bucknell, Sam Charleston,
Kevin Daley, Jerry Kunkler and Robert Yuill and from Tom Ince (Principal
Compliance Officer).

There were no substitutions and no membership changes following the annual
meeting of Council on 21 May 2024.

16 **Minutes**

The minutes of the meeting held on 4 March 2024 were presented to the
Committee.

Resolved:

**That the minutes of the meeting held on 4 March 2024 be approved and
signed as a correct record.**

17 **Chairman's Announcements**

The Chairman highlighted that John Carter (Head of Service – Public
Protection) had retired from Wiltshire Council at the end of May 2024 and that
on behalf of the Committee he wished him well and thanked him for his input
into licensing over many years.

18 **Declarations of Interest**

There were no declarations of interest.

19 **Public Participation**

No questions or statements had been submitted to the Committee from the public in advance of the meeting.

20 **Licensing Appeals Update**

There were no known Licensing Sub Committee appeals pending.

21 **Minutes of the Licensing Sub Committees**

The following minutes of the Licensing Sub Committees were approved:

Eastern Area Licensing Sub Committee

19.3.24 Application for a Premises Licence – Bishops Cannings Cricket Club, Coate, Devizes

Western Area Licensing Sub Committee

01.02.24 Application for a Premises Licence, Westbury Pizza Limited, 8 Westbury Mall, Edward Street, Westbury

Resolved:

That the minutes of the meetings detailed above be approved and signed as a correct record.

22 **Update from Passenger Transport Team**

Jason Salter (Head of Service – Passenger Transport) gave an update on behalf of the passenger transport team and highlighted the following:

- Growth on SEND home to school transport requirements remained. Provision was being made at new educational establishments and expanding at existing settings. This would see around 500 more SEND placements in place by September 2026, with most students placed being entitled to transport. In September 2024, there are an additional 233 places. 100 of those places would be at the new Silverwood Rowde site where Wiltshire Council is the provider. It was not anticipated that any additional vehicles would be required for these children as this was already set in place for September 2023, but the transition was postponed last year, due to the building not being ready. The other spaces are spread across several other schools;
- It was felt that efforts had been exhausted in trying to grow the taxi market in Wiltshire, but there were now some larger companies that had come on board in recent times, who are able to increase capacity with the right notice period – these companies included London Hire and 24/7 Essex;

- The team were now focusing their efforts on efficiency, and that wasn't to say that they were not efficient before, but they were now using their Q Routes software more robustly after a period of staff training. An example of its use was that in the new SAIL School in Salisbury, there would be an additional 35 students travelling from this September 2024. The team had been able to recast the transport for all who are travelling by using Q Routes and to date had only needed to introduce one additional vehicle to serve that school;
- The team were also targeting single occupancy taxis in order to release vehicles into the market. Within the contracted taxis, 144 of these just had one passenger on board. 79 of those taxis were due to geography, and to merge the passengers onto another taxi would make the journey time excessive, when compared to government guidance, or, where the student is the only passenger attending a particular school. The team would also consider enhanced payments to parents to drive their children to school, but this was not generally preferred by parents;
- The team were developing a business case to determine whether increasing the number of Council owned/leased vehicles was viable to fulfil the demand in transport, or whether the minibus market had now recovered sufficiently from when the Council had to lease their own; and
- In summary, the team were as confident as they could be that they would be able to provide for everyone who is entitled to home to school transport in September 2024.

The Chairman asked the following questions of Jason Salter:

Q How far forward does the team look ahead for the future transport needs for children?

A The team are looking at capacity up to September 2026 at the current time. The SEND team provide information on anticipated need, and we may need to extend more contracts to providers out of the County to keep up with the demand.

Q Is it a risk that the Council having to use the 24/7 Essex service – is there anyone closer that offers that type of service or has capacity?

A It is a risk having to use contractors who are not local, but we are able to award contracts if they flexible and good value for us.

Q Have you considered looking at issuing licences for just school transport contracts and what are other neighbouring authorities doing in relation to this?

A I am a member of the Association of Transport Co-Ordinators and nationally there is a push for more school only licences although there are risks associated with that as we could lose private hire drivers to that. More work was needed to look into that option fully as out of our 800 licenced taxi drivers, 650 are working on Wiltshire Council contracts and due consideration would need to be given to this option.

The following questions were asked by the Committee:

Q If there are larger firms operating in our area could they end up poaching our Wiltshire drivers and is there a danger that we could lose drivers to them who offer them more money and we lose some of our capacity?

A There is the chance that this could happen, and they would need to be aware of it but when Wiltshire ramped up their internal fleet, they took on drivers from existing operators.

Q Who controls the vehicles used by 24/7 Essex, is it done in Essex or here?

A At the start it was through Essex but now they are licenced in Swindon and Wiltshire – there had been no quality issues (apart from a few late drivers at the start) but they have now found their feet and were providing a good service for Wiltshire within their 20 contracts.

Q Have the team had considered looking to see if there were any Community Transport Schemes who may be able to assist the school transport needs?

A There are currently 21 community transport operations within Wiltshire and the Council do currently contract some of those schemes for Wiltshire transport provision, but generally speaking after Officers have spoken to Chairs of these community transport schemes they don't usually want the responsibility of school transport as it is not within their terms and conditions to form part of their core business.

The Chairman highlighted that if Officers thought there was any merit in the Committee or a Subgroup to look at an aspect/option under consideration then they should let the Clerk know and then a Subgroup could be set up or an item added to the main Committee agenda.

Resolved:

That the Committee note the update on behalf of the Passenger Transport Team.

23 **Update from the Taxi Licensing Team**

Tom Ince (Principal Compliance Officer) had prepared an update as at May 2024 on behalf of the Taxi Licensing Team with the agenda. The Chairman asked the Committee to forward any questions for Tom Ince to the Clerk.

Resolved:

That the Committee note the Taxi Licensing Team update.

24 **Update from Public Protection Licensing Team**

Claire Francis (Public Protection Manager – Community Protection) referred to the Public Protection Licensing Team update that was circulated with the agenda and highlighted the following:

- The Licensing Officers had been carrying out unannounced visits to premises ahead of the Euros football tournament to offer advice and support and are based on the Officers own knowledge of premises likely to be showing the football matches. This information would be feedback to the Police who will then be aware of those premises showing matches;
- The Government had confirmed an order to provide venues in England and Wales with the option to extend licensing hours on the day of any semi-final involving a home nation team or the day of the final should a home nation team be participating. The extension would be for two hours from 11pm to 1am the following day for consumption of alcohol on the premises and provision of late night refreshment;
- During the Covid pandemic the Government passed regulations allowing them to sell alcohol for takeaway, delivery and to drink in licensed pavement areas without changing their licence – those regulations would expire on 31 March 2025 and the Government were carrying out consultation for the available options after that date;
- Both of the new managers in the Licensing and Food Safety teams had met with the Longleat management team to discuss the events they have planned for this year and to agree an inspection protocol – they have various large scale events planned and Officers are keen to engage at the earliest opportunity;
- Event Safety Advisory Group (ESAG) meetings had been organised for WOMAD, Existence Festival and the summer solstice and Stonehenge and Avebury – these were a really useful way for various enforcement agencies e.g. Police, Fire, Environmental Protection and Highways to understand more about organisers plans and to ask questions to ensure that the event will be safe and well organised;
- The team restructure was completed in March and Roy Bahadoor was appointed as Principal Licensing Officer. As he would be carrying out the day to day management of the Licensing Officers there had been a few changes to the areas the Officers would be covering, and these were showing in the weekly list of applications sent out to Councillors;
- John Carter had retired as the Head of Public Protection at the end of May and the first recruitment attempt was not successful back and it was planned to repeat this within the next 3 to 6 months with hopefully the position being filled by the end of the year;
- The Public Protection Service would be moving to a new ICT system called Arcus Global and would open opportunities to speed up how applicants apply for licences and will start to automate some the licence processes. It was going live today, and it was hoped that service disruption would be minimal; and

- The Local Government Association had produced a range of tips and advice sheets for members of their Council's Licensing Committees which Members may find useful.

The Chairman reported that he had spoken to the Chief Constable of Wiltshire in December 2023 about his concerns on the lack of Police licensing representation/input into the committee meetings and reported that he would write on behalf of the Licensing Committee to ask them to provide regular updates of their work and attend at least once a year. A Committee member agreed that it would be useful to have at least six-monthly updates on what premises the Police were concerned about and if review applications were to be considered.

Roy Bahadoor highlighted that Alistair Day and Richard Tottle were the current Police Licensing Officers and that their team was keen to continue their working relationship with them having already liaised with them around the Euros 2024.

A Committee member commented that he felt that the biggest problem with the large Longleat events was the traffic management and asked if they would liaise with Licensing or Highways to discuss that aspect? Claire Francis responded that some of the Longleat events are not licensable but confirmed that particularly for the Icons of the Sky event that traffic management would be considered as part of the ESAG meetings.

The Chairman asked if information had been sent to Members around the plans to extend licensing hours should a home nation reach the semi-final or final of the Euros so that they were aware of this. Claire Francis responded that this may have already been included in a member update, but if it had not, she would issue an update to all Members around this.

Resolved:

- 1. That the Committee note the update on behalf of the Public Protection Licensing Team.**
- 2. That the Chairman write to the Chief Constable of Wiltshire to invite the Police Licensing Officers to Licensing Committee meetings and ask they provide updates on at least a six-monthly basis.**

25 **Statement of Licensing Policy**

Claire Francis (Public Protection Manager – Community Protection) referred to the report which asked the Committee to note the results of the consultation undertaken and proposed amendments to the Council's draft Statement of Licensing Policy and highlighted the following:

- At the last meeting the Committee had instructed Officers to carry out a 6 week consultation process on the proposed Statement of Licensing Policy for 2024-2029. The consultation ran from 17 April to 29 May 2024 and the

list of consultees were detailed in the report and there were also two press releases and a number of social media posts regarding the consultation;

- 35 responses were received with most comments received from the residents of Wiltshire. Additional comments were received from licence holders, Pub Watch members and Town/Parish Councils. Details of the comments received and the Officer responses to how these were addressed were detailed in appendix 1. A few changes were made as a result of the consultation, with some wording being updated/tweaked to provide clarity but nothing substantial; and
- The Committee were now being asked to approve the updated Statement of Licensing Policy as at appendix 2 and to recommend that it go forward to Full Council for approval in October 2024.

The Chairman asked if the number of consultation responses was in line with previous consultations? Claire Francis responded that it was similar to the responses received 5 years ago with not much difference in the comments raised. Halfway through the consultation period, the number of responses was reviewed and there was another press release and social media push to encourage more responses.

Committee Members made the following suggested changes/comments:

- Page 68 of the agenda pack (paragraph 1.2 Key Aims) at the end of the bullet points there is nothing to say that the presumption is that licences will be granted unless there is a reason not to. The Legal Adviser confirmed that perhaps there needs to a reference to the independence of the Sub Committee making application decisions but clarified that unless there are any objections then an application would be granted. *It was agreed to make some minor wording changes here to clarify the presumption that an application will be granted subject to any objections.*
- Page 74 of the agenda pack (2.8 Drink Spiking, start of second paragraph) be amended to read 'The Licensing Authority' as opposed to 'We'. *This change was agreed.*
- Page 88 of the agenda pack (under paragraph 6.6 Permitted Temporary Activities (TENS) towards the end of the fourth paragraph) some of the text was crossed out and that needed to be removed. *This change was agreed.*
- Page 89 of the agenda pack (under paragraph 6.7 Large Scale Events) states that the licensing authority requires that they are given at least six months' notice to all for sufficient lead in time. Could this be amended to strongly recommends instead of requires. *This change was agreed.*

The Chairman reported that he had had a conversation with the Head of Public Protection before his retirement about the plans for there to be robust training for all Members in relation to Licensing following the May 2025 elections and

the needs for detailed specific training for those Councillors who would serve the Licensing Committee and in turn the Licensing Sub Committee hearings. Claire Francis agreed with the importance of this and indicated that they may consider an external consultant to assist with the specific training for Committee members after the elections in May 2025.

Resolved:

That the Committee recommend the final draft statement of Licensing Policy for 2024-2029 to be approved by Full Council on 22 October 2024 subject to the minor amendments as detailed above.

26 **Gambling Statement of Principles**

Claire Francis (Public Protection Manager – Community Protection) referred to the report which sought to inform the Committee of the need to review, consult on and adopt a new Gambling Statement of Principles by 1 January 2025 and highlighted the following:

- The Council's current Gambling Statement of Principles came into effect on 1 January 2022 and would cease to have effect on 31 December 2024 and so a new Statement of Principles would need to be approved by Full Council by that date;
- The Statement of Principles must be consulted on with specific stakeholders which included the Chief Officer of Police, gambling businesses and residents of the area. It had been proposed to run a 6 week online consultation, but after the announcement of the General Election it was felt to be prudent to delay the start of the consultation until after 4 July 2024 and was now proposed to run a 4 week consultation so as to ensure that there was adequate time for Officers to collate and consider the consultation responses before the next meeting of the Licensing Committee in September for them to approve a final version and recommend that it is adopted by Full Council in October 2024; and
- No major changes to the Statement of Principles were proposed and the details of these were listed in appendix 2 to the report.

The Legal Adviser confirmed that it was considered that a 4-week consultation period was a reasonable length of time for this to be considered by consultees.

A Committee Member suggested that it may be helpful to pre-warn consultees that the consultation would be starting on xx date so that they were ready to respond once the consultation was launched and asked if that could be included in the communications plans?

A Committee Member highlighted a typographical error on page 145 of the agenda pack and that the word sort should be corrected to sought. It was confirmed that this would be amended.

Resolved: That the Committee

- 1. Recommends that Officers carry out a 4 week consultation process on the draft Gambling Statement of Principles for 2025-27.**
- 2. Note that they will be required to consider recommending the finalised Gambling Statement of Principles to Full Council for adoption in October 2024.**

27 Dates of Future Committee Meetings

Members noted the future meetings of the Licensing Committee, all to commence at 10.30am.

16 September 2024
2 December 2024
17 March 2025.

28 Urgent Items

There were no urgent items.

(Duration of meeting: 10.30 - 11.15 am)

The Officer who has produced these minutes is Lisa Pullin of Democratic Services, direct line 01225 713015, e-mail lisa.pullin@wiltshire.gov.uk

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