

## Licensing Committee

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### **MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 16 SEPTEMBER 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 Sam Charleston, Cllr Kevin Daley, Cllr Andrew Davis, Cllr Ruth Hopkinson, Cllr Jerry Kunkler, Cllr Tim Trimble and Cllr Robert Yuill

#### **Also Present:**

Cllr Jacqui Lay, Laurie Anderson (Fleet Compliance Officer), Jason Beattie (SEND & Passenger Assistant Manager), Danial Farr (Fleet Compliance Officer), Claire Francis (Public Protection Manager – Community Protection), Jonathan McLaughlin (virtual) (Legal representative), Stephen Melville (Safer Streets Co-Ordinator), Andy Nobel (Public Protection Officer – Licensing), Lisa Pullin (Democratic Services Officer), Richard Tottle (Police Licensing Officer) and Sebastian Williams – (Review and Best Practice Officer – Passenger Transport)

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#### **29 Apologies and Substitutions**

Apologies were received from Cllr Steve Bucknell and from Alistair Day (Police Licensing Officer) and Tom Ince (Principal Compliance Officer).

There were no substitutions.

#### **30 Minutes**

The minutes of the meeting held on 17 June 2024 were presented to the Committee.

#### **Resolved:**

**That the minutes of the meeting held on 17 June be approved and signed as a correct record.**

#### **31 Chairman's Announcements**

The Chairman made the following announcements;

Welcome to the Police representatives:

Stephen Melville (Safer Streets Co-Ordinator)  
Richard Tottle (Police Licensing Officer)

Licensing Sub Committee Hearing – 25 September 2024

If any member is available to be the substitute member for Licensing Sub Committee hearing on 25 September at 10.30am – please contact the Clerk as soon as possible.

32 **Declarations of Interest**

There were no declarations of interest.

33 **Public Participation**

A question was received in advance of the meeting from a Mr Desmond Broster from Veezu in relation to taxi licensing and best practice. The question and response could be found in agenda supplement 1 which was published on our website on 11 September 2024.

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

34 **Licensing Appeals Update**

There were no known Licensing Sub Committee appeals pending.

35 **Minutes of the Licensing Sub Committees**

The following Licensing Sub Committee minutes were approved:

**Southern Area Licensing Sub Committee**

28.05.24 Application for a Variation of a Premises Licence – The Avon Brewery, Castle Street, Salisbury

**Resolved:**

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

36 **Safer Streets Fund Initiative Update**

Stephen Melville (Safer Streets Co-Ordinator - Office of the Police and Crime Commissioner) gave an update on the Safer Streets fund initiative and highlighted the following:

- Since the update provided to the Committee in March 2024, there had been lots of partnership work with Trowbridge Town Council, the Chamber of Commerce and the Council's Licensing Team which had led to the instigation of a new Pub Watch group meeting up in Trowbridge;
- The Office of the Police and Crime Commissioner had provided free county wide Wave (Welfare and Vulnerability Engagement) training which

was developed to provide those working in the licensed industry with an awareness of vulnerability, their responsibilities and how to deal with it. It aims to increase the skills, knowledge and confidence of those working in licensed premises focusing on identifying vulnerability and making appropriate interventions;

- The first event was held in Trowbridge on 10 July 2024 and was attended by publicans and their staff, local neighbourhood policing colleagues, alongside police and Wiltshire Council licensing staff. The WAVE presentation included details of Ask for Angela, and venues were offered free registration with the Licensing SAVI scheme to support development of safer premises for staff and customers. The next event was due in Salisbury on 30 September;
- There had been discussions with Trowbridge Town Council regarding CCTV upgrades through a funding resource with anti-social behaviour hotspot funding being provided for extra Police patrol hours for Trowbridge, Salisbury, Devizes and Chippenham;
- They project had also been working with the town's Street Pastors and those involved in the nighttime economy; and
- The funding from the Home Office for the Safer Streets initiative was due to end in March 2025 and they were in the process of gathering data to show the positive progress/outcomes. They were currently looking at ways to find alternative funding should there not be a Safer Streets round 6 initiative after March.

The Chairman thanked Stephen for his update on the initiative and commented that it was doing good work. On behalf of the Committee, he asked that a further update be provided at the March 2025 meeting to provide details of the effectiveness of the projects that had been supported. The Chairman commented that if the support being provided with town's CCTV was not going to continue then they would need to be notified of this as soon as possible so that Town Council's/Wiltshire Council could manage their budgets accordingly.

Stephen commented that although they have some idea of the effectiveness of the projects and were setting their commissioning intentions based around what they would like to continue to provide and ways to set aside money for this, it was a Home office scheme and they wouldn't know if it had been confirmed effective and the criteria met until the end of the projects. After this time, they would be able to advise Town Council's etc of what/if projects would be continuing – but there may well be a gap in this due the nature of the initiative.

**Resolved:**

1. **That the Committee note the update on the Safer Streets fund initiative.**

2. **That the Safer Streets Co-Ordinator provide a further update to the Committee at their March 2025 meeting.**

37 **Police Licensing Officers Overview/Update**

Richard Tottle (Police Licensing Officer) provided an introduction/update to the Committee and highlighted the following:

- Alastair Day (Police Licensing Officer) was unable to attend the meeting due to transport issues;
- That he was new to the role having retired as a Police Officer of over 30 years;
- That his work included liaising with licenced premises, Police colleagues and Council licensing colleagues;
- Some of the current issues in Wiltshire's premises included the use of drugs and violence in our venues and they were continuing to help support the tightening up of safety within the nighttime economy and work to push drugs out of venues, reduce alcohol related violence, identify predatory males and tackle the sale of alcohol to those under 18;
- The Licensing SAVI scheme to support development of safer premises for staff and customers was funded by the Office of the Police and Crime Commissioner and provides best practice guidance for venues and highlights what venues should provide to keep their patrons safe. Venues receive a star rating with a certificate recognising their achieved safety level similar to hygiene status certificates.

The Chairman asked Richard if they worked with colleagues in the neighbouring authorities and if there was a close connection with other local Police forces to look at trends. Richard confirmed that he had a contact within Swindon Police and that he would like to pursue other neighbouring Police forces and engage with the Fire Service with the hope that if they attended a venue that they were interested in then they could share observations and findings.

The Committee asked the following questions which included but were not limited to:

- How do you identify the premises that are continuing to sell alcohol to those that are intoxicated and how tough do you come down on those premises that are selling to those that are drunk? It was noted that although premises are businesses and obviously making money was the priority, the licensing conditions clearly state that they are not to continue to sell to those that are intoxicated. Officers would rely on members of the public reporting this information and this was encouraged. Some may not think to report what they perceive is a minor issue, but calls of this nature are acted upon and the Police would visit premises with Council Licensing

colleagues to remind premises of their obligations under the Licensing Act, see if further staff training is required and if problems continued then consider a review of the premises licence.

- It is felt like you are missing reports from concerns from members of the public as it is difficult to use the Police 101 non-emergency number and if there were easier ways to report concerns there may be more received and in turn easier for the police to build up a picture of concerns in relation to some premises. It was noted there was also an online 101 reporting system available to encourage the reporting of low level concerns/crimes and residents were encouraged to use this to report issues.
- Was the Ask for Angela initiative in use across the whole county? It was noted that this was covered in the WAVE training provided and it was still ongoing and pushed for awareness with licenced venues.
- When new landlords take over premises do they receive visits from the Police to ensure that they are fully trained and aware of their responsibilities in relation to the Licensing Act? It was noted that capacity did not allow for general visits but that they had links with Wadworth's and Arkells breweries to ensure that the relevant training for the landlords is received.
- We acknowledge there is a lot of emphasis on keeping women and girls safe – but men also need to be safe is that on your radar to ensure that they are not being coerced etc. It was noted that Police are not blind to male on male predatory behaviour, but that the statistics show that over 99% of issues reported are related to women and young girls and that is why there is the current focus and was part of Operation Vigilant.
- There are concerns about when licenced premises have loud music there are young children sitting next to speakers – what work do you do when a child is at risk? It was noted that again if this was reported it would be looked into as the prevention of children from harm was one of the four licencing objectives and if a licensing condition was being breached this would be investigated.

The Chairman highlighted that the Committee would welcome further updates either written or in person at future meetings and that he would like to enhance the Committee's link with the Fire Service and suggested that he write to them to see if they can update on any licensing aspects, and how they work with Licensing Officers and the Police.

**Resolved:**

- 1. That the Committee note the update on behalf of the Police Licensing Team.**
- 2. That the Chairman write to the Fire Service on behalf of the Committee to invite them to update on their links with Council**

**Licensing and Police colleagues and attend a future meeting to present this update.**

**38 Update from Passenger Transport Team**

Jason Beattie (SEND and Passenger Assistant Manager) provided an update on behalf of the passenger transport team and highlighted the following:

- Around 1800 SEND (special educational needs and disabilities) students were currently being transported to their education placements in and out of the county on a daily basis with an ongoing upward trend in the demand for SEND transport;
- Current challenges included the diminishing lack of capacity in taxis operating post Covid and the numbers of larger vehicles available. Recently there had also been a number of new education establishments opening including Silverwood School in Rowde with 100 more students requiring transportation which had been managed by the employment of in house drivers and using approximately 90 Council owned vehicles across the county; and
- There had been considerable growth in numbers requiring transportation in the in last 12 months and this was likely to continue with Exeter House in Salisbury opening a second site from September 2025 and a provision in Tidworth which would mean that an additional 130 students would require transport.

The Chairman suggested that further consideration could be given to having a driver's licence that would only be valid for the use of those carrying out education setting contract work for the Council to help with the taxi driver capacity issue.

A Committee Member commented that it would have been useful for a brief report to have been prepared to be sent out with the agenda to include the breakdown of current figures etc. She also felt that consideration needed to be given to a solution for the shortage of drivers/vehicles and that may be a different model and to ask Councillors for help in thinking of ways this could work, appreciating that staffing resources to manage changes and enforcement may be difficult but not impossible

Danial Farr (Fleet Compliance Officer) reported that all drivers would need to follow a prescribed route to obtain a licence, even if this was just for being able to be a driver carrying out contract work for education setting transportation and this would include a DBS check and a medical assessment. Also, if they were an individual driver they would need to provide a suitable vehicle. It has highlighted that taxi licensing was legislative and that the Council must comply with current laws and regulations.

Jason Beattie confirmed the vast majority of drivers also have with them a passenger assistant present in vehicles transporting children and young people

and that they would also be subject to a DBS check. Jason commented that they hear from taxi operators that the licensing process can take some time and if they are taking on new drivers they are incurring costs for a period of time before the drivers are able to start working for them and then because of the time taken some of those drivers then don't go on to commence working for the which is a challenge for operators.

Danial Farr confirmed that indeed the taxi licensing process could take some time due to the DBS check (which covers adults and children) which could take anything from a few days to up to 6 weeks. There could also be some medical check issues as some drivers may want their own GPs to carry out the medical or having to wait for an appointment for a group 2 medical.

A Committee member suggested that Officers be tasked to look at the options/possibilities for an education contract only driver licence and report back the findings to the next meeting of the Committee.

It was noted that the cost of all home to school education contracts (mainstream and SEND) across Wiltshire was in the region of £30 million with over 10,000 children and young people in total being transported. Wiltshire Council was currently the biggest customer of the licensed taxi trade.

**Resolved:**

- 1. That the Committee note the update on behalf of the Passenger Transport Team.**
- 2. That the Committee receive an update at their next meeting on the options/possibilities for an education contract only driver licence.**

**39 Update from the Taxi Licensing Team**

Danial Farr/Laurie Anderson (Fleet Compliance Officers) referred to the update on behalf of the Taxi Licensing team as at August 2024 that was circulated with the agenda and highlighted the following:

- There had been 38 new driver licence applications and 56 renewals during August 2024 and whilst the increasing number of licence applicants and holders would increase the Council's income from taxi licensing, it also places additional pressure on the small team of 5 having to process them;
- The total number of licensed hackney carriage drivers at the end of August was 679 which was down 2 on the previous month. The level of drivers continues to put pressure on the Passenger Transport Unit and whilst numbers were rising, they were not rising fast enough to meet the increased SEND demand Passenger Transport are experiencing;
- The team also license private hire only drivers and there were 223 drivers as at the end of August bringing the total number of drivers licensed to 902. Private hire drivers are not restricted by zone and can take bookings

for anywhere in the country. On page 28 of the report it stated that recent best practice has provided the authority with the power to ask applicants from outside of the Council area where they intend to undertake the majority of their work, if they will not be working in Wiltshire, there is now the power to refuse the application. However, it was to be noted that this only relates to hackney carriage drivers and not private hire drivers which may have been somewhat misleading in the report;

- At the end of August 2024 there were a total of 860 vehicles licensed with vehicle numbers breaking through 800 for the first time in 2 years since February 2023. The vehicle split is as follows – 554 hackney carriage and 306 private hire vehicles. Of the 860 vehicles licensed 13.4% or 115 of them are wheelchair accessible vehicles (WAV), but only 5% of hackney carriage vehicles are WAV which means it was unlikely for the public to hire one from a rank and would need to have booked in advance;
- The team continue to proactively enforce the Council's policies in relation to taxi licensing and with a new team member starting on 1 May 2024 this had improved the visibility on the ranks and in towns. Penalty points were issued to 10 drivers in August 2024, 3 for not wearing their ID badge, 3 for failing to notify of a conviction, 2 for speeding, 1 for smoking in their vehicle and 1 for parking in a disabled bay;
- The team continue to work on the updated driver and vehicle guidelines and best practice that was issued in November 2023 to further enhance standards within Wiltshire for the benefit of users and the industry. The team were also considering the impact of the proposed 2020 Environment bill would place requirements on Local Authorities to manage air quality;
- This may impact taxis and the guidelines around vehicle age and emissions, and the team were reviewing the possibility of removing the current age criteria in relation to licensing vehicles and making the criteria emissions based. The team also need to undertake two large projects and report back, firstly a taxi rank review to evaluate how accessible the ranks are to all members of the public and secondly also look at how they transition their current fleet of vehicles across to hybrid or fully electric vehicles; and
- The implementation of the new taxi licensing system via Arcus was causing some current challenges as the system is not able to perform a number of the licensing processes and so the team were having to duplicate work within the old M3 system and Arcus. Work was in progress to fix all system issues so that it could be fully used to processing taxi licensing work moving forward.

The Chairman asked if there was any request from Uber to operate within Wiltshire. Danial confirmed that there had been no contact from Uber, but that Veezu which was a similar provision was now available in Wiltshire.



The Chairman noted that there would be a review of the taxi ranks and that if there was a move for greener (electric) vehicles then there would need to be necessary infrastructure in place to support that, and if the Council asks its contractors to use green vehicles. Danial reported that grants for greener vehicles had now been withdrawn by Central Government but that they would of course be looking at that as part of the rank review as well as the suggestions in the best practice about electrification and having covered areas at ranks. Because Wiltshire has many rural areas which are spread out it may be that electric cars are not viable as taxi vehicles and that hybrid might be the road to go down. It was confirmed that the findings of the rank review would be brought to the Committee, and they would be asked to consider approval for changes to be made and any budget implications.

The Committee asked the following questions which included but were not limited to:

- Because of the rocketing cost of second hand cars would the Council be considering lower the age limit of vehicles from a maximum of 5 years at registration to 7 years. If the limit was lowered this may help with the demand for drivers because of the costs involved in purchasing a car that was 5 years old. It was noted that Officers had recently reviewed the policies of other Local Authorities and whilst some allowed 7 year old vehicles on registration, some insist that they are only 2 years old. This would be considered within the review as allowing older vehicles to be used may not meet the Council's environmental objectives. The WAV age limit was 7 years at first registration.
- Was there an update on the implementation of the single licensing zone for Wiltshire and the move to just having one depot for vehicle licensing and inspections? It was noted that the team had not really seen much in way of change with drivers mostly staying in their own areas and as far as they were aware the impact on the trade had been minimal. The depot for taxi licensing staff and vehicle checks was now based solely at Kennet House in Devizes and whilst there were still some gripes from operators in the south of the county the move to close the other depots had been a success.
- Could there be flexibility about the cleanness of a vehicle in relation to emissions? It was noted that the within the review of the vehicle age criteria they would be considering the emissions of vehicles.
- Would consideration be giving to vehicles being ULEZ compliant? It was noted that this would be looked into as part of the review mentioned earlier.

It was also noted that as part of the taxi rank review they would also be considering the procurement of CCTV availability at each of the taxi ranks in Wiltshire.

**Resolved:**

**That the Committee notes the Taxi Licensing Team update and will receive a further report once the planned reviews have been carried out.**

40 **Update from the Public Protection Licensing Team**

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

- With England making it to the final of the 2024 Euros this meant that the additional licensing hours were available to some premises. The team worked closely with Wiltshire Police and attended the Silver meetings following each match – this ensured joint working to respond to any issues and to offer advice when necessary. The Licensing web pages were updated to share the details of the temporary changes and advice;
- The Licensing and Food Safety teams had met with the Longleat management team to discuss the major events they had planned for this year and Officers had also visited the WOMAD festival in July which has around 40,000 attending;
- An Event Safety Advisory Group (ESAG) meeting was held in August for the Icons of the Sky event at Longleat (held over the past weekend) and there was good attendance from partner agencies with a useful discussion on how to plan for the event. Claire had attended training on Safety Advisory Groups and also attended one of the Swindon Council ESAG meetings to identify further good practice;
- The team had been successful in a bid for some additional enforcement funding which had allowed them to increase one of their Officers to full time hours up until 31 March 2025. This additional time would be used to focus on updating the process for suspending licences when licence holders don't pay the annual fees. There were currently more than 200 licences that needed suspending. The additional hours would also mean that they would be reviewing how they work with the Police and Immigration service. A meeting with the Police was planned for this week to look at how they can further enhance how they share information and intelligence;
- The team were reporting an increase in new premises licence applications for a variety of types of premises;
- The move to the new Public Protection IT Service (Arcus Global) went live in June following years in the planning. The team were working hard to sort out some teething issues and to adjust working processes to allow them develop web based application forms and payments. A temporary Technical Support Officer had been appointed to assist with the implementation and backlog of work. The system would be able to provide

useful data and reports which could be shared with the Committee at the next meeting; and

- A Sub Committee hearing was organised in August to determine the outcome of a Temporary Event Notice (TEN), but the Applicant withdrew the TEN prior to the hearing. A new premises licence application for a premises in Bradford-on-Avon was due to be determined on 25 September following the receipt of a number of representations.

The Chairman asked if an overview of the TEN application process could be circulated to Town and Parish Councils and via the Council's social media sites as a reminder as it was likely people would now be planning for their Christmas events. Claire Francis reported that all of the relevant information could be found on the Council's website, that it was hoped that the TEN application process would be able to be completed fully online in the future and that she would liaise with the Communications Team to circulate reminder guidance.

The Committee asked the following questions which included but were not limited to:

- Would the new Arcus system be able to provide access for Councillors and members of the public to view the licences that had been granted for premises? It was noted that there were some issues around data protection but that the team were aiming to be able to share public registers although it would take some time to add that amount of information to the database and so a current timescale for this was not available.
- Was there anything Councillors could do with TENS applications to avoid late applications being made? It was noted that Councillors could encourage their constituents to submit applications as soon as possible so that any issues with missing or incorrect information etc could be addressed.

**Resolved:**

- 1. That the Committee note the update on behalf of the Public Protection Licensing Team.**
- 2. That Officers liaise with the Council's Communications Team to circulate reminder guidance on the TENS application process to Councillors, Town and Parish Councils and via the Councils social media sites prior to the Christmas period.**

41 **Gambling Statement of Principles 2025-2027**

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 Gambling Statement of Principles and highlighted the following:

- The consultation for the Gambling Statement of Principles ran from 9 July to 5 August 2024 and comments were captured using an online form and comments were also received via email. The list of consultees was in accordance with those prescribed in gambling legislation and details were also sent to all those that had held a licence during the last few years; and
- A total of 14 responses were received, with most comments from the residents of Wiltshire. Additional comments were received from the Public Health team and from a Town Council. A copy of the comments received and the team's responses to them were included within the appendices to report. The Public Health team had also requested updates to their section which had now all been incorporated into the revised draft statement of principles ready for approval.

The Chairman noted that the statement did not cover online gambling as this was not the Local Authority's responsibility but asked if Officers are mindful of it. It was noted that all online gambling adverts now have to display a slogan to be aware of gambling money and time limits. Claire Francis and the Principal Licensing Officer were due to attend a gambling awareness day.

A Councillor present asked if gazebos now needed to be licenced if they are up for more than 28 days and if there were changes to this following the allowances made during Covid. It was noted that structures on premises come under planning enforcement. If officers were aware of non-compliance that they are informed of our notice during inspection visits, then they would refer this to the planning enforcement team. It was further noted that the only the sale of alcohol was licensable and that patrons are able to consume alcohol in the outside areas of a premises – it would just be the bar area that would need to be licensed. If there were concerns about noise nuisance by patrons using outside areas this could also be investigated and further action considered if necessary.

**Resolved:**

**That the Committee recommend the final draft Gambling Statement of Principles for 2025-2027 be approved by Full Council on 15 October 2024 and then be implemented on 1 January 2025.**

42 **Dates of Future Committee Meetings**

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

2 December 2024  
17 March 2025.

43 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 - 11.50 am)

The Officer who has produced these minutes is Lisa Pullin of Democratic Services,  
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